The American Labor Legislation Review

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Next Steps

THE reassuring event following the stock market crash is the almost universal acceptance of the proposal to use public works and the construction industry as a balance wheel in stabilizing employment.

A business recession, which began in July, may yet be checked without widespread serious unemployment. Unfortunately, national and state Governments are handicapped through lack of "prosperity reserves" and advance plans. But President Hoover has backed his consistent support of this principle with emergency action. The dangers of hurried action in time of crisis, indicate that without further costly delay, the needed Federal legislation establishing a permanent policy of long-range planning of public works should be promptly pressed to enactment.

On the important related subject of an adequate permanent public employment service, President Hoover in his Message of December 3 states to Congress: "I have recommended additional appropriations for the Federal employment service in order that it may more fully cover its cooperative work with state and local services." Bills carefully prepared, and previously introduced by Senators Kenyon and Wagner, would provide four million dollars yearly and adequate Federal supervision. Unfortunately the additional appropriation referred to in the President's Message would merely increase the present $217,000 by adding only $168,000—and $100,000 of this increase is exclusively for veterans and $55,000 for farmers, leaving a mere $13,000 increase for the nation-wide general cooperative work. This is so obviously inadequate that discerning citizens will expect the President to urge substantial legislative action to meet the real situation. Either this Federal service should be made effective or it should be abolished.

There is encouragement in the Message's promise of increased financial support for the Federal Women's Bureau and intimation that the Children's Bureau may have opportunity to revive and develop the Sheppard-Towner maternity protection. No reference is found in the Message to federal-state cooperation in vocational rehabilitation of cripples which likewise needs attention by this session of Congress.

One phase of the proposal to consolidate Government departments and independent commissions requires our careful watching. Important is the continued independence of the U. S. Compensation Commission which administers benefits to injured workers, not only to civilian employees of the Government be it remembered, but to longshoremen and to private wage-earners in the District of Columbia. The *United States Daily* of November 14 announced that Chairman Williamson of the House Committee on Executive Departments, after conferring with the President, favors consolidating this compensation commission with the Veterans' Bureau, Pension Office and Soldiers' Homes! Those who understand the technical and special functions and procedure of workmen's compensation administration will immediately recognize the inappropriateness of such a proposed merger, but it is necessary that they now be on their guard lest much painstaking work in the compensation field suffer still more from failure to understand the character of administration required.

Occasion for frank discussion of the Association's work and legislative program is our twenty-third Annual Meeting at New Orleans, December 27-28. Appropriately, there will be special reference to the New Industrial South to which we have given so much attention in recent years.

Important as an aid to understanding the progress of labor legislation and to the preparation for needed action, is our annual summary of new labor laws which appears in this REVIEW. Making this information available in advance of the next sessions of the legislatures calls annually for a special effort—with results which should be increasingly appreciated. Surely this final issue of the nineteenth volume of our REVIEW contains much that should interest our readers in important next steps which now need to be taken.

JOHN B. ANDREWS, *Secretary*

American Association for Labor Legislation

Legislative Notes

ANNOUNCEMENTS of the twenty-third **Annual Meeting** of the American Association for Labor Legislation, at New Orleans, December 27-28, have excited unusual interest.

◇

"CITIZENS have a right to be heard on legislation, but there must be some discrimination between legitimate representation and criminal and secret lobbying."—*R. S. Allen in The Nation.*

◇

"SENATOR SMOOT believes that sugar, salt, pepper, and water are given away free in restaurants. This brings up the troublesome old question as to whether Senators should be told the facts of life."—*Howard Brubaker, in The New Yorker.*

◇

A LONG-TIME member of the American Association for Labor Legislation, **Adelbert Moot,** of Buffalo, attorney and public-spirited citizen, died September 12.

◇

IN Ohio, 3,368 employers who **failed to obey the workmen's compensation law** requiring them to insure their risk have been forced to pay compensation to their injured employees.

◇

"WE have not had a copy of the REVIEW for several months. We are very anxious to receive your splendid publication regularly. Has our subscription expired? Please advise us."—*Letter from a State Commissioner of Labor.*

◇

"THINK of listening in on the oratory of a Senate of the United States of Europe."—*The Pathfinder.*

◇

JAPANESE waltzing mice have been found to be more responsive to concentrations of the deadly carbon monoxide than canaries, long used by the United States Bureau of Mines, Department of Commerce, for this purpose in connection with **mine rescue** operations.

◇

"AMERICANS," says a foreign lecturer, "discuss an annoyance endlessly, but never do anything about it." For that reason, foreign lecturers are comparatively safe.—*Detroit News.*

◇

THERE were 47 **fatal accidents** in the California petroleum industry in 1928. This is 14.6 per cent more than occurred in 1927.

In Kansas the **accident hazard in coal mining** is so great that the mining corporations are evading the high rate of compensation insurance levied by casualty insurance interests. A number of mines have been mutualized or are operated as cooperative enterprises which do not require insurance.

◇

Older men employed as factory workers in Michigan experience **fewer compensable injuries** than younger men, according to a study made by the State Department of Labor.

◇

The Illinois Department of Labor has appointed **Benjamin M. Squires** as chairman of the General Advisory Board of the Illinois Free Employment Service. He succeeds F. S. Deibler, who resigned.

◇

A. F. Whitney, president of the Railway Trainmen, recently said that 350,000 railroad workers were out of work because of the introduction of huge locomotives and automatic machinery. He advocated the **six-hour day** as a remedy.

◇

The Mississippi Federation of Labor at its recent convention demanded immediate enactment of **workmen's compensation** and insisted that the state labor laws must be more rigidly enforced.

◇

The American Management Association reveals that of 40 companies investigated 3 large companies had definite arrangements for the **training of older workers.** These reported a marked increase in efficiency and usefulness of those trained.

◇

During the first nine months of 1929, there were 1,518 persons **killed in coal mines** in the United States, according to the Bureau of Mines. This is an improvement over the same period last year, when 1,639 persons were killed in the mines.

◇

The Sick Benefit Act of 1913, of the Netherlands, has been amended this year to provide **obligatory sickness insurance** for most of the wage earners in that country. All workers having an annual wage of Fl. 3,000 ($1,200) or less are included under the new Act, which goes into effect on March 1, 1930.

◇

A report by the Massachusetts Consumers' League, based on a survey of 55 plants in that state, recommends that special regulations be adopted by the state labor and health departments to protect workers from certain **industrial poisons.** Special precautions are necessary, the report states, because of the ignorance of these hazards on the part of both the employers and the employees.

◇

On October 23, the California Industrial Accident Commission held a hearing on a **mine disaster** which cost the lives of five miners employed by the Engels Copper Mining Company in that state.

THE California Department of Industrial Relations proposes to require as high a standard as possible from those who charge fees for finding positions for the unemployed. In September, the licenses of two **private employment agencies** were revoked for failure to obey the laws of the state governing the business.

◇

THE U. S. Public Health Service has issued a report on the occupational disease, **silicosis,** among granite cutters. It shows that in practically every case, hand-pneumatic-tool operators, who on the average were found to be exposed to about 59 million particles of granite dust per cubic foot of air, developed an established silicosis within 10 years after being employed. It also shows that an adequate ventilation system will reduce this dust hazard to the 10 to 20 million particles per cubic foot of air which affords a reasonable degree of safety.

◇

IN the first seven months of 1929, there were 763 deaths caused by industrial accidents in the metropolitan district of New York City. The Merchants' Association of New York considers this record "alarming" and has organized **a safety campaign** in which industrial and commercial associations, insurance companies, and the National Safety Council are cooperating.

◇

THE Empire State Mutual Insurance Co. has been **forced into liquidation** by the New York state insurance department. This company, which wrote compensation insurance for window-cleaners, was found to have insufficient reserves and to have reduced compensation claim payments below those required by the law.

◇

GOVERNOR BYRD of Virginia proposed to call a conference of employers and labor to consider possible **social legislation** during the coming session. Liberalization of the workmen's compensation law is one of the proposals which will come before the legislature.

◇

IN presenting a gift of money to Swarthmore College for the study of **unemployment,** the anonymous donors declared: "We can not get much further in our development as an industrial people without measurable progress in the conquest of the various types of abuses under the unemployment problem."

◇

DURING the past year, the New York City building trades unions paid more than forty thousand dollars to an agency to **collect compensation claims** owed to their members by insurance companies. This is a burden upon labor which an exclusive state fund helps to eliminate.

◇

THE Hardware Mutual Casualty Company of Wisconsin mailed five hundred dollars in 50-cent pieces to 1,000 of its policy holders with instructions to write their state legislators to vote against the **state compensation fund** bill then before the Wisconsin legislature.

THE New Jersey Department of Labor announces an **occupational disease bureau** in connection with the Newark rehabilitation clinic. This bureau studies occupational diseases and educates physicians, employers and employees on the subject. It also seeks out and diagnoses cases of industrial disease. Workmen engaged in industries that are exposed to health hazards are to be systematically examined by the bureau.

◇

FROM approximately 2,000,000 tons in 1923, the production of bituminous coal by **"mechanized mining"** increased to 21,559,000 tons in 1928, a growth of tenfold in five years, says the United States Bureau of Mines.

◇

AN ORDER IN COUNCIL has amended the regulations under the Canadian Immigration Act so as to prohibit the landing of **contract labor** in Canada.

◇

DURING the legislative season of 1929, the **federal child labor amendment** came up for ratification in nine states. In Nebraska, the bill passed the Senate but was indefinitely postponed in the House. Bills were defeated in the house of introduction in Connecticut, Oregon and Washington. In Nevada its supporters were unable to force the bill out of committee. In the remaining states (Colorado, Kansas, New York, and Utah) no action was taken.

◇

THE New York Department of Labor has created a division for **junior placement.** Miss Clare L. Lewis has been named director.

◇

MORE than 16,000 disabled persons are being assisted under the federal-state **vocational rehabilitation** service which is now in operation in 41 states. Since 1920, when the federal rehabilitation act was adopted, 34,000 persons have been rehabilitated and returned to remunerative employment at a total cost of less than $250 per individual.

◇

In 1925, organized labor in Missouri after a long struggle compromised with the employers and agreed to a compensation act without an exclusive state fund. After a few years of experience with this act the state federation is now demanding that the **state fund** be adopted. This demand is strengthened by the state compensation commission disclosure that some insurance companies have avoided payments by appealing cases to the courts and then offering a settlement for less than the Commission's award. Court appeals have not been perfected, thus taking the case out of the compensation boards' jurisdiction and at the same time delaying a court decision.

◇

THE **Illinois Compensation Commission** has been reorganized by Governor Emmerson with Clarence S. Piggott, a Chicago attorney, as chairman.

◇

GOVERNOR O. MAX GARDNER, of **North Carolina,** recently laid down the following propositions: (1) "We cannot build a prosperous citizenship

on low wages," and (2) "We cannot build an efficient labor force on extremely long hours." He also urged the abolition of the mill village and the company housing system.

◇

REMEMBERING last winter's **unemployment,** the city of Sacramento, California, has set up a representative committee to study the present situation and to make suggestions of how to avoid a similar condition this winter.

◇

THE Insurance Federation of America reports that there are 93 **state insurance funds,** covering ten major types of state insurance. These funds are distributed as follows: Workmen's compensation, 17; teachers' retirement, 20; state employees, 4; hail, 5; bank guaranty, 8; public deposits guaranty, 2; public property, 14; life, 2; Torrens title, 19; public official bonding, 2. Only eight states have no state insurance funds of any sort.

◇

ONE lawyer has been disbarred and four others suspended as a result of an **ambulance-chasing** investigation in Brooklyn, N. Y. These lawyers had employed "runners" to bring them accident cases, and one of them had also employed a physician for this purpose.

◇

UNDER the rules adopted recently by the New Jersey Workmen's Compensation Board, any **attorney who solicits** cases about the premises occupied by compensation or rehabilitation officials shall be barred from practice before the compensation bureau for six months for the first offense and for one year for any subsequent offense.

◇

THE Ohio Industrial Commission has started a state-wide investigation to uncover employers who are attempting to dodge workmen's compensation insurance. There has been an increasing number of accident claims filed against employers who do not carry insurance, the commission reports.

◇

G. CLAY BAKER, chairman of the Kansas Commission on labor and industry, will propose an amendment to the workmen's compensation law to include **occupational diseases.**

◇

ACCORDING to a recent report of the U. S. Employees' Compensation Commission administering the federal Longshoremen's Act, there were 3,228 **compensable accidents to longshoremen** on board ship in the Port of New York during the twelve months ending June 30, 1929. Of this number, 25 were fatal, 271 caused permanent partial disabilities and 3,032 caused temporary total disabilities. The total number of compensable accidents to longshoremen during this period for the United States was 11,179.

◇

THE Maryland Bureau of Mines has recently—seven years after the legislature had extended the order-making power—put into effect

administrative regulations supplementing the state mine accident prevention law.

◇

THE International Typographical Union, in convention at Seattle last September, declared in favor of the **five-day week** and voted to lay the shorter week proposal before the American Newspaper Publishers' Association.

◇

AN agreement which aims to eliminate sweat-shop conditions and **stabilize the industry** by introducing basic wages, hours, and working conditions was reached on July 11, 1929, between the International Ladies Garment Workers' Union and all the employers and jobbers in the trade in New York City. A **permanent commission** representing the employers' associations, the union and the public was established to investigate the problems in the industry and render decisions based on its findings.

◇

"THE concept of equality before the law is still so young that it has hardly grown its pin-feathers."—*Elsie McCormick.*

◇

COMMENTING editorially on the article **"Hoover and Unemployment"** in the September issue of this REVIEW, the Greensboro (N. C.) *Record* says: "We do not believe that the request of the American Association for Labor Legislation is unfair, and neither do we believe it is one which the President can afford to ignore."

◇

"ACCORDING to the Building Construction Employers' Association of Chicago, one-half of the **building mechanics** of the city are out of work, and while a definite check is not available on numerous other cities, it is safe to estimate that with decreasing building permits throughout the country generally in the last several months **unemployment** in the trade extends pretty much over the country."—S. W. Straus and Company, November 1.

◇

THE U. S. Department of Labor has recently completed a survey of the living quarters provided for **migratory laborers** by farmers. In the majority of states, it was found that these laborers are quartered in rude shacks, tents, or old outhouses, with little attention to sanitation, ventilation and comfort. The report states that the California law regulating labor camps, which was passed about 15 years ago, has revolutionized living conditions for migratory farm laborers in that state.

◇

AFTER eleven years of its operation, there are now a million students taking **vocational courses** under the Smith-Hughes Act, at an average cost of $125 per student per year.

Representative Advisory Committees in Labor Law Administration

By John R. Commons

University of Wisconsin

(Editor's Note: There is still much difference of opinion in America as to the necessity or even the desirability of representative advisory committees in labor law administration. Professor Commons has been for years one of the leading advocates of this device, which has worked effectively in several other countries and in some places in our own, as, for example, in the supervision of the Milwaukee public employment office, and in the drafting of the extensive codes of Wisconsin and other states on safety, health, and welfare. At our request, Professor Commons has here stated the case for advisory committees. Further discussion of this device in labor law administration is invited.)

LABOR laws cannot be well administered unless the administrative bureaus have the confidence and the support of employers. One of the reasons why workmen's compensation has been so successfully administered in many states is because the employers have cooperated in the work. On the other hand, public employment offices have usually been hopelessly handicapped by their failure to enlist the employers' support. Employment offices cannot function when the employers will not use them. Of course, the cooperation of labor is needed, too. But we can generally depend upon labor's support of labor laws. In the case of the employer, this cooperation cannot be assumed. It must be sought.

Employers do not cooperate when they have good reason to believe that the administrative work is being entrusted to incompetents. They naturally refuse to call upon an inefficient public employment office for a skilled machinist when they are quite likely to be sent a punch press operator. Employers must have confidence in the administrator or they will not do business with him if they can avoid it. The best way I know of securing such confidence is to give them a direct voice in appointing the labor law administrators and in supervising their work.

That is one practical reason for the representative advisory committee in labor law administration. There is also a political reason. State and federal legislatures refuse to make adequate appropriations to an inefficient administrative bureau, especially when that bureau is filled with political appointees who are not in good standing with the employers. And nothing can more effectively destroy

the usefulness of a labor law than lack of funds to administer it. Thus, absence of efficient administration perpetuates itself in a vicious circle, beginning with incompetence and ending with incompetence. The advisory committee has shown itself capable of breaking that circle.

The advisory committee is typically composed of representatives of three groups: the employers, the employees, and the public. In practice, these representatives are chosen by the labor commissioners from employers' associations, from labor unions, and from what may be called the expert public. Each administrative unit has its own advisory committee, selected in view of the particular administrative problems involved. The committee's function is to assist in the selection of administrative officials and to help these officials in solving problems of administration. It is an unofficial committee of management.

Although representation of all employers by members of employers' associations is acceptable to most employers, a question is sometimes raised concerning the justice of excluding non-union employees from the advisory committee. Ideally, it would be desirable to have the unorganized represented. But in order to have real representation, with representatives whose word will carry weight, it is necessary that the representatives be backed up by an organized group. In practice, a representative must represent somebody. If he is merely a sort of statistical sample of his class, he will find himself in the weak position of having to pit his personal opinion against the demands of an organized opposition. A real representative must also have a constituency to which he has to report. Otherwise, he lacks the incentive to persistence in the face of opposition, and is likely not to have that sense of responsibility which comes from being required at frequent intervals to render an account of stewardship.

Thus the very fact that non-union employees are unorganized makes it impossible for them to be represented in any meaningful sense of the word. In practice, however, we find that the interests of these workers, wherever they come into conflict with the interests of organized workers, is ably defended by the representatives of the organized employers. Lack of direct representation, therefore, does not cause injustice the way things actually work out.

The public should be represented, because it pays the bills in labor law administration. The public is represented on the committee by

experts who contribute a wide knowledge of the problems dealt with, and who keep in touch with national and international developments. They are members of the "expert public" and help the advisory committee to see things in a broader perspective and to profit by the experience of other states and countries.

None of the members of the advisory committee receive pay for their services. This is important. Any public position with a salary attached tends to become a political plum sought by political job seekers. On the other hand, a job like that of the advisory committeeman, without a salary, attracts the busy man who is actually solving problems in his own establishment every day. And that is the only kind of man wanted on the advisory committee. It is a type of man whose services could not be bought by the public, because his time is worth more than the public will pay. Such men will give their time in non-political public service. But they are not interested in competing with job-seeking politicians.

One of the primary functions of the advisory committee is to make the civil service an effective means of selecting officials who can meet employers and employees on their own ground. Of course, all labor law administrative bureaus should come under the civil service. But civil service commissions are for the most part composed of school teachers, and the examinations they give are academic. Their tests are valuable in eliminating the totally unfit and in determining the applicants' educational qualifications, but they are not adapted to making the final selection. Those who administer labor law must know industry at first hand; and they must also have personality and tact so as to be able to retain the confidence and cooperation of both employers and employees.

The advisory committee is peculiarly adapted to choose such officials. It works this way: The civil service commission holds its examinations, thereby eliminating the incompetents, usually about seventy per cent of those who take the test. The survivors then appear before the advisory committee and are questioned by the representatives of the employers, the employees, and the public. The committee makes its choice and recommends to the labor commissioner that this person be selected. The labor commissioner then sends the name to the civil service commission, and thus the choice of the advisory committee gets onto the public payroll.

This is the most satisfactory way of choosing administrative officials yet devised. The advisory committee members are not

interested in the political complexion of the men who administer labor law. They want efficient administration, because they have an economic interest in it. This political neutrality has been demonstrated to an unusual degree in Milwaukee. When the system of advisory committees was first introduced there in 1912, the employer members agreed upon a man who was a Socialist to be chief of the employment service. Later a second Socialist was made chief of the bureaus there. But when this man left voluntarily for another job, the employee representatives consented to the selection of a railroad contractor who is now in charge. Thus in a city where the advisory committee has included conservative employers and socialist employees, appointments have been made upon an efficiency basis. Conservatives and radicals can get together on that basis.

As a rule, the employers supply the managerial ability on the advisory committee. The main function of the employee representatives is to give labor the assurance that the laws are not being administered to the detriment of the trade unions or of labor in general. This is of particular importance in the case of public employment bureaus, where both the employers and the unions fear that the offices will be operated to their disadvantage. Under such conditions, politicians are often able to secure labor's support by telling them that the unions should control the public employment service. But with labor representatives on the advisory committee, the politician can be forestalled. These representatives can tell the unions that they know how the work is being done and that union interests are being protected. Then also, the employer can be assured of efficient and unbiased service when he asks the bureau for a man. So the politician is unable to make use of the employment bureaus when he goes out to get votes.

The representative advisory committee, although not empowered with legal authority, has been able to give to labor law administration much of the efficiency which has characterized private business. It has effectively taken from this important governmental function the burden of political patronage. And it has succeeded in creating and holding the confidence of both employers and labor, without which labor laws can never fulfill their purpose.

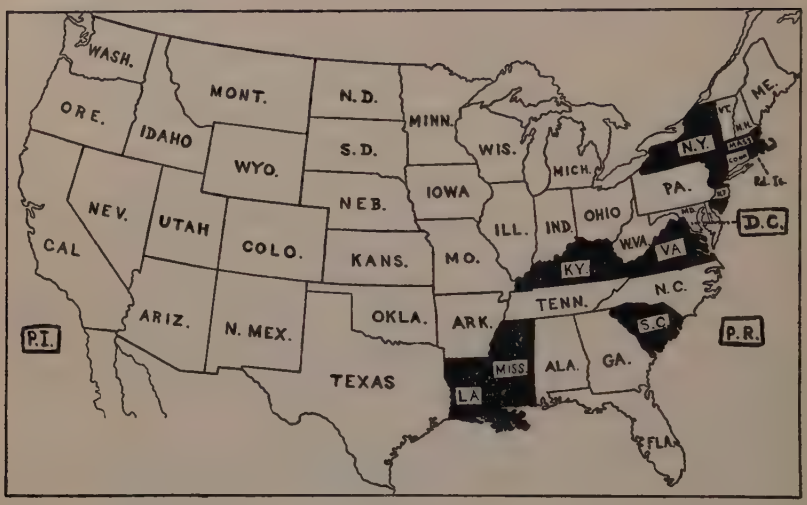
The foregoing, of course, does not apply to the clerical and statistical staff of a labor department. It applies to the investigative and administrative staff.

Equally important with the selection of such a staff who have the confidence of the effective organized manufacturers and workers is the drafting of rules which have the effect of law. No legislature or congress can possibly have detailed knowledge adequate to construct the highly complex rules of safety, health, and so on, needed for modern labor administration. If a legislature attempts to do so, then the rules are not based on investigation but on lobbying. The representative advisory committee takes the lobby out of the legislature. Instead of employers and employees fighting each other in the legislature, they get together along with the expert public and the investigative and administrative employees of the labor department and draft the rules which then, when issued by the department, have the effect of the law.

Such rules have also the far more important standing that they meet the ideas of courts on the question of constitutionality. Legislatures nowadays are merely advisory committees to the courts. No legislation has standing if the courts declare it to be unreasonable, and therefore unconstitutional. When it gets into court then technical rules and ingenious lawyers overthrow it. But the rules recommended by representative advisory committees have already all the attributes that go to make up reasonableness as defined by the courts, simply because all parties who are to be affected by the rules have already taken everything into account and have given "due weight" to every consideration. This is the constitutional meaning of reasonableness.

This feature of advisory committees is becoming important in view of the increasing attacks made by constitutional lawyers and judges upon the rule-making power of administrative bodies. They hold that this rule-making is done without due process of law, because it does not go through a judicial investigation of the facts. If this criticism should prevail, then all rule-making by administrative bodies will be useless, because the facts will be tried over again by the courts. But if the court knows that the rules were made by representatives who have to obey the rules, and made with the aid of experts, there is no reason for going back to the old system where either the legislature makes the detailed rules or the court rejects them because they are unreasonable and therefore unconstitutional. In fact, I do not see how it will be possible much longer to give the rule-making power to labor departments and industrial commissions if the rules are not made by representative advisory committees.

Where Legislatures Meet



Black States Hold Regular Legislative Sessions in 1930

IN addition to Congress (71st Congress, 1st session), the following nine states and two insular possessions will hold regular legislative sessions during 1930:

Kentucky	New York
Louisiana	Rhode Island
Massachusetts	South Carolina
Mississippi	Virginia
New Jersey	Philippine Islands

Porto Rico

The regular session of Congress opens December 2, 1929; the other regular sessions open early in January, 1930, with the exception of the Louisiana legislature which meets in May, the Philippine legislature which meets in July, and the Porto Rican legislature which meets in February.

Major Issues in Labor Law Administration

By John B. Andrews

No labor law is stronger than the machinery which administers it. Those who have worked for labor legislation and have followed its actual operation have realized more and more that the problem of labor law administration needs greater attention than it has so far received. It is a problem beset with two-edged difficulties, difficulties which are constant obstacles not only to the enforcement of existing laws, but also to the development of new regulations.

In a study of labor law administration for the purpose of discovering the best practices it is important to consider: (1) How is adequate administration best financed? (2) How can labor laws be made sufficiently specific and at the same time flexible? (3) How may compliance with the laws be most effectively secured? (4) How can a competent and alert body of administrators be developed?

At least one branch of labor law administration has made considerable progress toward overcoming these difficulties. With the development of workmen's compensation laws, methods have been evolved in some states which seem to meet the four issues with fair success so far as that type of law is concerned. We shall do well to inquire whether these methods are not also applicable to the other branches of administration.

The Financial Problem

The objection is frequently raised that effective administration is hopeless because of **inadequate appropriations** by none-too-friendly legislatures. But compensation law administrators in a number of states have learned how to finance their work without depending upon appeals for appropriations from the legislature.

In the state of New York the cost of administering the compensation law alone is approximately one-and-a-half millions of dollars yearly. Since 1918 this administrative cost has been divided by the Department of Labor among the insurance carriers according to the amount of compensation paid. This is entirely proper. It is the workmen's compensation principle. This million and a half is a part of the accident burden and it should be made to fall upon

industry, where it belongs. In addition to New York, ten other states already follow a similar practice.

This device has also been extended to the field of safety inspection. In Ontario much of the work of accident prevention is carried on through inspectors selected by the various groups of employers under the Workmen's Compensation Board. The Board supplies the funds for the payment of the inspectors, who get fair salaries, and then the Board levies the expense of such work upon the respective classes of insured employers as a part of their compensation insurance rates. In New York, the competitive state compensation fund has twenty-five inspectors paid a total of $56,100 in salaries. This cost is paid by the insured employers, although the inspectors are selected directly through civil service, like other employees of the New York Labor Department.

Here is a principle which should be capable of extension to some other branches of labor law administration. Before we despair of escaping from present limitations that are due to inadequate funds, we should ask this question: Can not the cost of administration be met by placing the burden directly upon those groups who make necessary the various types of labor law? Is it not possible to discover devices by which complete dependence upon the legislative grant can be avoided? So far as workmen's compensation is concerned, there can be no doubt as to the answer. And in the future little sympathy need be wasted on those states which deliberately fail to use the device, and then attempt to excuse lax enforcement on the ground of "inadequate appropriations."

The Administrative Order

Progress has also been made toward meeting the second problem. Contemporaneous with the administration of workmen's compensation there has developed a widespread use of **the administrative order having the force of labor law.** These regulations, long a feature of health and public utility law, grew out of a recognition by the legislature itself that it is not equipped to deal in technical detail with many problems of safety and health arising out of complex modern industry. Authority is delegated to the Labor Department to investigate, confer, hold public hearings, and then issue administrative orders under a broad authorization to make work conditions safe.

This is an important development in the United States since 1911, and has accompanied or closely followed the operation of workmen's compensation with its emphasis on accident prevention. By its use, the labor law is made sufficiently **specific.** The details are worked out by representative committees which possess or have access to expert knowledge of the complexities of the situation to be regulated. The result is a body of regulations which meets the needs and which, furthermore, can be enforced.

The device of the administrative order also makes the labor law **flexible;** a general rule laid down by the legislature can be applied without working injustice in special cases which were not in the legislative mind when the rule was made. Then, too, when conditions change, the administrative orders can be promptly changed to meet the new situation. There is no need of waiting two years or more for further legislative action.

Cannot the device of the administrative order be applied to other branches of labor law administration? We need not apologize for asking this question, because such application has been made in some states. But there is need for a study of labor law with a view to its further extension. The administrative order is an invention of the first rank, and should be more widely used.

Here, however, there is need for a word of warning. A special study of the order-making practice in more than twenty states convinces me that it is impossible for anyone to discover what the labor law is in the United States today. Many of these orders are being issued without due regard to important procedure. Representation of interests affected is in a few states scarcely ever observed in the code-making committees. In some cases the holding of public hearings has been regarded as of little importance. Sometimes the codes are "out of print" if, indeed, they were ever properly printed at all. Other states are doing excellent work, but after eighteen years of this development, there is no general index or summary published to guide the investigator through the maze of these legal regulations. I have long believed that each Labor Department might render an important service by giving special attention to the proper cataloguing and periodical publication of these special orders. They should be filed with the Secretary of State as are other laws, and appropriate reference should be made in successive editions of the State Statutes.

Effective Inducements and Penalties

How to secure compliance with the labor law is indeed a knotty problem. The application of **effective penalties for violations** has met with considerable success in the administration of compensation laws. In Wisconsin, since 1917, and in a number of other states more recently, extra compensation must be paid directly by the employer in case a child worker is injured while illegally employed. If it is violation of the working permit provision, double compensation is to be paid; if a violation of the prohibited employment provision, the normal compensation is trebled. And the extra compensation must be paid by the employer from his own pocket without insurance. This has been called the most effective penalty for violations of the child labor laws ever devised. An increased compensation payment required in case of other accidents due to violation of safety orders is also suggestive.

Perhaps more effective in some cases than the imposition of money damages, or a prison sentence through court procedure, is the **department hearing** to which the first-offender is summoned to receive serious words of admonition or to show cause why he should not be prosecuted.

Here then are several inventions in labor law enforcement which hold forth promises of greater usefulness. Cannot many labor laws be made more effective by the use of these or similar devices?

Better Administrators

Finally, the difficulty of securing a **competent and alert body of administrative officials** has been overcome with some success in the compensation field. This is due in no small degree to the fact that compensation law officials in some states have furnished an outstanding example of continuity in administrative office holding.

Most of the compensation laws are administered by a commission of at least three members with six-year terms, one term expiring every other year. This tends to eliminate the hazard of a complete change of administration with change of governor. It also tends to give the members an opportunity for longer service. This is an important feature. For if labor law administration is to attract men of the desired calibre, and is to benefit by the training and experience they receive while in office, it must provide these

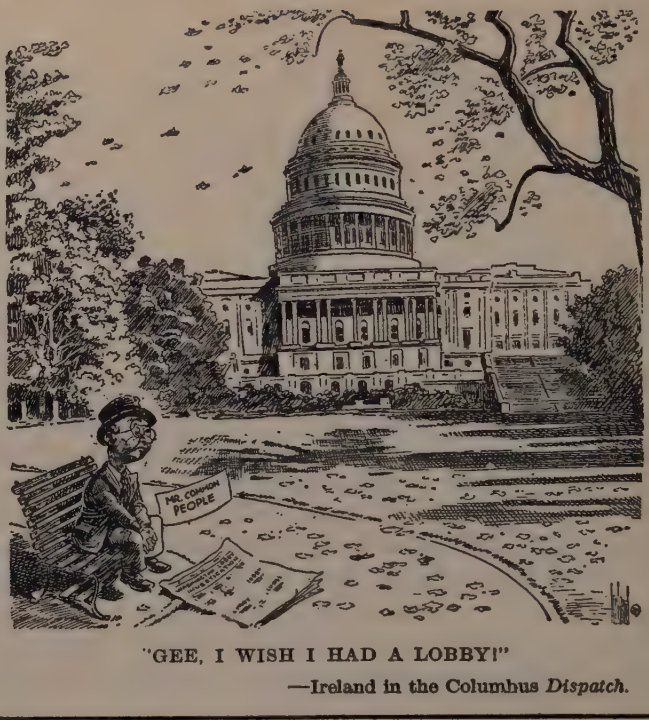
men with greater degree of job security. Is it not essential that this system of office tenure be extended?

Still other aspects of this problem of personnel challenge the inventiveness of those interested in better labor legislation. Until our methods of selecting the administrative personnel, of training it, and of assuring it greater job security have been improved, we cannot expect to command the all-around competence and zeal necessary to efficient administration.

There may be other major problems in labor law administration. But certainly none of them go more directly to the roots of the subject than those that have been discussed. **We need to learn how to finance adequately the administration of labor laws. We must utilize appropriately and as widely as possible the administrative order which makes labor law specific and at the same time flexible. Penalties and inducements must be so applied as to accomplish more successfully their purpose of securing compliance. And competence and alertness must be made increasingly available in labor departments.** Experience in the administration of workmen's compensation laws has demonstrated that these things can be done. The application to labor law in general of the principles there developed waits upon the social inventiveness of labor law administrators and public spirited citizens who are their friends. In assembling the "best practices" in this field the hearty cooperation of all those interested in labor law administration is most earnestly invited.

Milwaukee Votes $100,000 for Age Pensions

EVER since Wisconsin adopted its old age pension law, with a county option provision, opponents of pension legislation have chortled that Milwaukee, the most populous county in Wisconsin, had failed to approve the pension plan. These friends of the antiquated poorhouse will now be disappointed to learn that on October 22, the Milwaukee Board of Supervisors appropriated $100,000 for its initial share of the cost of old age pensions. This is another step of progress toward intelligent and humane treatment of those who find themselves destitute in old age. In Wisconsin the county bears two-thirds, and the state one-third of the cost of old age pensions.



"GEE, I WISH I HAD A LOBBY!"

—Ireland in the Columbus *Dispatch*.

Ways That Are Dark Need Illumination

WHILE the special interests prod and beguile legislators at the national and state capitols, the public interest in legislation frequently suffers.

In some measure this neglected general-welfare interest has come to be the particular concern of social-welfare organizations which, like the American Association for Labor Legislation, specialize in a particular field and make public their findings. Their strength is in the widest possible publicity of the facts, while the influence of the special interest flourishes in the secret conference, the whispered word, the "insidious lobbies that work darkly."[1]

Protection of the public interest calls for the continuous watchfulness of trained representatives of general-welfare organizations who merit senatorial praises as "very useful public servants."[1]

[1]See editorial on "Lobbying," American Labor Legislation Review, September, 1929.

Necessity for Safety Standardization—How Can It Be Brought About?

By Lewis De Blois

Safety Director, National Bureau of Casualty and Surety Underwriters

(Editor's Note: The following article by Mr. De Blois, author of "Industrial Safety Organization" and a member of the General Advisory Council of the American Association for Labor Legislation, was presented at this year's convention of the Association of Governmental Officials in Industry. Mr. De Blois is also a former president of the National Safety Council and writes with exceptional authority.)

BASIC safety standards are as essential to those who desire industrial accident prevention as are text-books to the school-teacher, law-books to the lawyer, or military regulations to the soldier. They are the crystallization of experience—the concensus on what is indispensable for the protection of human life—the only worthwhile by-product of accidental injury. If we did not collect such knowledge and apply it intelligently to the prevention of accidents we would be as irresponsible as children and little better than savages. Such information is virtually priceless, for it has been bought and paid for with blood and suffering and human life itself.

Aside from the safety rules or codes of industrial corporations and trade associations, the application of safety standards to manufacturing industry comes about either through the influence of the insurance carriers with the Industrial Compensation Rating Schedule as their instrument or by the enforcement of state laws or regulations. While the effect of the insurance effort may vary, it is at least based on a single set of requirements. State enforcement, however, is quite another matter. Granted that it is not always possible to control the action of legislatures and induce the framers of bills and legislative committees to follow accepted national standards, it would seem as though something could be done to bring state departments of labor into line when formulating intended regulations or amending them.

To what extent are the laws, or regulations, or orders of the states at variance on fundamental requirements? I must confess that I do not know. I have never seen a comprehensive comparative

statement of their requirements and doubt whether such a document is in existence. If you wish to understand why it does not exist, try to prepare one; because of the innumerable, detailed divergencies and the differences in phraseology, you will find it an almost impossible task![1]

With a little time at my disposal I have been able to study the requirements adopted by thirteen states for the **protection of workers from contact with toothed gearing.** I selected gears because they present one of the simplest and most obvious hazards with the least excuse for variations in protection. The thirteen states were merely those whose regulations were on my desk at the time. They are fairly well distributed; six of them are important industrially; eight of them have a reputation for active interest in industrial safety.

Taking up first the matter of **coverage:** Two states make no attempt to define it. One state specifically demands protection for "all gears wherever located." Four states agree on "all gears exposed to contact"; one insists that it must be "hazardous contact" (when is contact with gears free from hazard?) and another that they must be "inrunning gears"—an expression reminiscent of "left-handed monkey wrenches" since the direction depends wholly on how one looks at the gears! Another state makes it "all power-driven gears exposed to contact" with disregard for the fact that all gears are moved by power of some sort. Four states, however, agree on the present insurance and engineering safety standards definition: all gears wherever located, except adjusting gears which do not normally revolve. These differences are, however, relatively unimportant.

When we consider the **general provisions for protection,** we encounter an amazing tangle. There are three well-known methods of guarding the **teeth and meshpoint:** by encasing the gears in a close-fitting enclosure of solid metal or mesh, by surrounding the teeth with a ribbon of metal which has flanges projecting inward beyond the roots of the teeth, or by erecting a fence of mesh or a railing at some distance from the gears. For the sake of brevity, we shall refer to these methods as "casing," "ribbon" or "fence" and otherwise ignore the details of construction.

[1] The "Comfort, Health and Safety" issue of the June, 1911, AMERICAN LABOR LEGISLATION REVIEW, is perhaps the nearest approach to this. It has not been revised, owing to the difficulties mentioned.—*Ed.*

Four of the thirteen states require either casings or ribbons and two more are willing to have casings or ribbons *or* will permit fences under special conditions which do not coincide at all. This, however, is all the uniformity one finds; after that it is each state for itself! One will permit only ribbons; one demands "complete enclosure" without defining how; one demands nothing but "*recommends* complete boxing." One requires casings but will waive this requirement, if it is impracticable, in favor of ribbons. Another specifies casings or ribbons, but if both of these are impracticable will be satisfied with a fence. Still another specifies casings or fences but can be appeased with a ribbon. The last appears to be wholly indifferent and will accept casing or fence or ribbon without restrictions. And there are other differences. Some require fences to be extended to the height of seven feet above the floor; others to six feet; one permits a five-foot fence if it is two feet away from the gears. One state is willing to accept for small gears located on shaft-ends a revolving flange without any other enclosure.

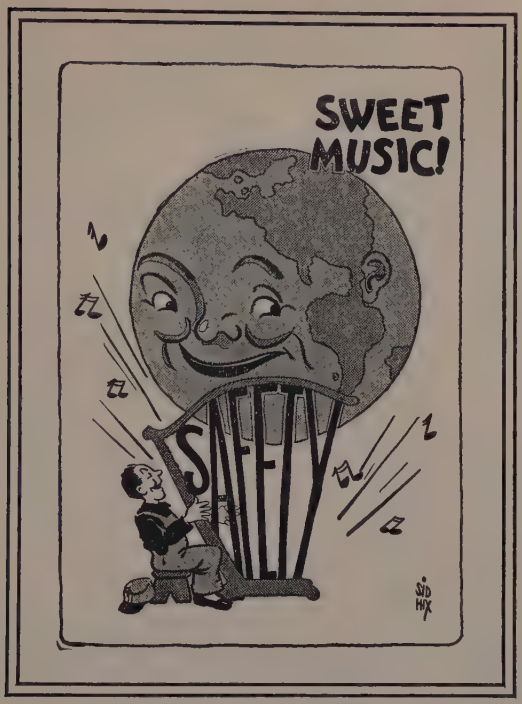
Now we come to the **revolving spoke hazard** for which the ribbon-guard offers no protection since it is open centrally. As to the existence of the hazard: three states utterly ignore it; one state believes it exists in all gears having spokes or holes in the web; one affirms its existence when these spaces are two and one-half inches in size; three ignore it unless the gear is at least 18 inches in diameter; five states demand its protection "where it exists" without telling us where it does exist. Seven states tell us how to guard it and are somewhat at variance; six states do not tell us how. Only one state mentions the use of a disc-guard fastened to the spokes which is permitted in our present Power Transmission Safety Code and is common practice.

This is the story so far as I have been able to interpret these regulations. The title of the story might have been "The Thirteen Original States" for I suspect them all of trying to be a little original! There are nineteen more claiming to have power transmission safety standards and all of these, I suppose, have introduced their little originalities! But speaking seriously, is it possible that after fifteen years of the safety movement we have not yet learned how to protect the gearing which grinds the fingers off a colored mill-hand in Alabama in precisely the same way that it mutilates a Swede in Wisconsin, an Italian in New York City, or an Indian in Saskatchewan?

I have seen in motion pictures Japanese workmen protected by first-class gear-guards on canning machines in far-away Saghalien; friends of mine have told me of American machinery in shipment to the Soviet Republic which was better guarded than any they had been able to buy for use at home. Are you willing to admit that we are behind the Japanese and Russians in preventing accidents? Is originality and independence in the matter of state regulations more precious than human life?

To a recent inquiry which we sent out for information on the guarding of machine tools, sixteen states did not reply, eleven states said they had no regulations, eight had general provisions only, and thirteen had specific requirements. Some of the replies were interesting: one state wrote that its inspectors followed "the codes of the different underwriters and the American Society of Mechanical Engineers," another that it used no codes but relied on the experience of its inspectors, a third that it needed neither codes nor inspectors because plant safety engineers were looking after conditions satisfactorily. Another state advised us that it used the regulations of an adjoining state, but I cannot imagine for what purpose since it has no inspectors and no power of enforcement. There is absence of uniformity, you see, all along the line.

What are the results? We have in the first place insurance inspectors and state inspectors working to different ends with consequent embarrassment to plant owners and depreciation of the inspectors' ability. To be forced to change a safety device which another inspector had just informed you would meet every requirement does not help one's disposition toward safety inspectors and the safety movement in general. From the insurance angle the situation is not a happy one. We are trying to keep our codes in harmony but when we transmit them to our member insurance companies we can only urge their use "where they do not conflict with local laws, regulations and ordinances." This materially weakens their value to the companies. Think also of the situation confronting the large corporations which operate plants in many states; their safety departments have not only to bring about the use of their own safety regulations but must see to it that all state regulations are complied with—which is no simple task, as I know from years of experience. It is easier to forget what the state wants and quietly damn its inspectors when they come around!



—National Safety Council

My deepest sympathy, however, goes out to those manufacturers of machinery who desire to make their products complete and safe. Have you wondered why we have made so little advance toward getting machines adequately guarded by their makers? Have you thought of the difficulties confronting them? Permit me to quote from a letter from a man who knows the situation of the machine-tool builders:

I have no doubt whatever that if we can get the different states to agree on uniformity, we shall be able to get the machine-tool builders to conform to these uniform requirements and build guarding devices as essential parts of their machines. They simply cannot do it now in some cases. * * *

There is no difficulty whatever in getting the machine-tool industry to add the guards and to charge for them what they are worth. The only trouble up to now has been that they couldn't tell what guards different states would need. Some want open-work, lacey effects in their built guards; others want an absolutely closed-up guard. Then there are varying heights. * * *

You can count on us to cooperate fully. Get the regulations going, and we will do the rest in getting the manufacturers to realize the necessity of complying with them.

To obtain uniform protection of machinery by the makers would constitute a very real advancement. It would lift a material portion of the burden from the shoulders of the state inspectors, the insurance inspectors and the safety engineers of industrial concerns. I know of one large corporation which has been forced to abandon its former policy of specifying on purchase requisitions the inclusion of safety devices, because so many inadequate and sub-standard devices were supplied by the makers that it proved cheaper to build their own. Now they specify "no safety devices to be included." I do not blame them, but it is a move in the wrong direction.

Another thing would be accomplished in time by maker-guarded machinery: we would have more and better guarded machinery in those small industrial establishments which are reached by inspectors rarely, if at all. It is this class of establishment which is most backward in doing the things it ought to do and is the hardest to reach. Let the manufacturers guard the machinery for them and some of our difficulties will be overcome.

Probably the most important field for work lies in the protection of mechanical power transmission. It would, I think, be a good place to begin. The existing code on this subject is now due for revision, and I see no reason why the revised code as prepared by the present committee should not before adoption be submitted for review and final endorsement to a larger reference body on which all states are represented.

With this first step done, some interested national body should prepare, on the basis of the adopted code, a set of model state regulations and, for the use of states having no power of enforcement, a model enabling act. It would then remain to secure their actual adoption by as many states as possible. This might be undertaken by the same interested body or by an association of organizations formed for the purpose. If these included trade associaitions concerned with the manufacture of machines and machinery, we would be killing two birds with one stone.

Accidental industrial deaths are not decreasing. What we have done may have checked a sharper rise in the curve, but I believe that you will agree with me that a civilized people cannot contemplate with equanimity the killing of 24,000 persons a year. In the last decade accidents in the United States have abruptly terminated 830,000 lives and of this slaughter industry is responsible for at least one-quarter. The time has certainly come for more concerted, positive and constructive action.

Fitness, Not Age, Should Govern Employment

"THE monthly reports of the Department of Industrial Relations have referred to the problems connected with the **age limits set in some of our industries.** I agree with you that the **public interest in the question is acute,** and **there are many thousands of men and women of middle life who look with anxiety at the years ahead.**

"The state policy is to have 'individual fitness' govern employment. There are men and women in the public service who are doing excellent work, even though they have lived many years beyond some of the age limits we read about these days. It has been well said that 'no philosopher has ever found a substitute for experience.' Certain hazardous employments probably need age limitations for the best interests of the public and the employees themselves. In the large majority of occupations, however, this factor does not enter, and there does not seem any good reason why ability and experience and carefulness should not be the major requirements in selecting employees.

"Any anti-social policy limiting opportunities for work not only has a tendency to force capable men and women to become objects of public charity, but the lengthening of the span of life as science makes its advances, and the introduction of pension systems by public and private employers, bring additional problems.

"I feel certain that we shall continue to consider experience and fitness alone as far as public employment is concerned, and that therefore this question does not primarily affect our own employees. There is danger, however, of an acute situation as respects employment in certain private industries.

"Although a proper exercise of thrift may often permit savings sufficient to take care of old age, nevertheless the earning and saving period becomes too short when forced retirement comes too early. Especially is this true when the necessary expenses of large families or of illness have made these savings impossible. Early forced retirement without means of sustenance for him who is retired thus throws an almost impossible burden upon the state, and becomes a very real social problem."—*Governor C. C. Young, in a letter to the California Department of Industrial Relations, September* 19, 1929.

Another "Bull" on the Job!

The above cartoon from the *Locomotive Engineers Journal* illustrates a conception which has been forming in the public mind with regard to a "maximum hiring age" in industry. This will be the subject of special discussion at the New Orleans meeting of the American Association for Labor Legislation, December 27-28.

Maximum Hiring Age Limit in Industry

By Millicent Pond

Employment Supervisor, Scovill Manufacturing Company.

(Editor's Note: The age limit in industry is a topic of intense interest wherever unemployment and old age pensions are discussed. Earlier in the Review we have commented on public interest in the problem and some proposed methods of meeting it. In the following article Miss Pond, from her own experience, shows us how the policy works in practice in a large brass manufacturing establishment at Waterbury, Conn. She presented these facts at the recent annual meeting of the National Association of Manufacturers, and we believe they contribute to an understanding of conditions which have led many companies to establish the employment "deadline." What is the remedy? This topic will be prominent in the discussions at the annual meeting of the American Association for Labor Legislation, December 27-28, at New Orleans.)

IN the process of hiring workers for any organization certain general rules and procedures are built up to aid the interviewer. Far from making the process of selection mechanical, they serve to organize the many details which come up for consideration, to increase analysis, and to draw attention to important precautions. Some of them are adhered to strictly, as for instance, the state laws governing the employment of women or of minors; some are flexible, adhered to ordinarily but subject upon occasion to exceptions which include, job specifications involving height, weight, training, skill and test scores.

In the practice of the Scovill Manufacturing Company the maximum hiring age limit belongs to the latter class, that is, it is a rule ordinarily adhered to that **applicants above a given age shall not be accepted for employment, but exceptions are permitted to occur.** In the case of this rule, provision has been made for a particularly careful analysis of each exceptional case.

The question arises, **what is the justice or necessity of a maximum age limit for hiring in industry?** In my estimation there are three arguments for the establishment of such limits, which come directly from employment office experiences.

I

In the first place, it is the ordinary, humane, custom of industry today to attempt to **"take care of its own people,"** as the expression goes. Thus all employees of any reasonable service with the

company, who have suffered a loss of ability through any circumstance—injury, disease, or age—are transferred to lighter work, and thus retained on the payroll of the company if possible. Face to face with the devastating experience of a sudden, even though temporary, loss of ability, the employees turn spontaneously to the company for this protection. They expect to receive it. When the loss is gradual, as in age, and perhaps not realized by the employees, community feeling encircles each case, and intercedes with the company for its care.

Now **it is only possible to fill this need if there are light jobs available in sufficient number to meet the demand,** and this is the crux of the matter. In our experience, the number of lighter jobs is distinctly limited, so that it is reasonable and just that the employment office should protect the definitely handicapped persons already on the payroll, and those who will in the future suffer loss, by not hiring heavily from any group of people which will inevitably add a higher proportion of workers to be cared for in this way. For this reason we limit the number of hirings of older applicants.

II

The second consideration is allied to the first. An important duty of each foreman in industry is the evaluation of the abilities of his employees, and their utilization to the best possible advantage for production, within the range of occupations under his control. He knows that exceptional ability is rare, and that even moderate gifts may be usefully employed. He is patient with the person who learns slowly, and adjusts conditions for the person who is weak or clumsy or slow.

Although this adjustment of conditions to individuals is a supervisory necessity, it tends to go too far in many cases, and the complex management problem of **the hidden pension** arises, a problem of costs. It is exceedingly difficult in general to draw the line between the amount of supervision, patience, and built-up pay which is a legitimate expenditure for the development of the working force, and that which constitutes an unwarranted over-indulgence of individuals.

Pending satisfactory solution of this problem, the employment office in this connection also finds it reasonable to avoid increasing the proportion of indulgence cases, if possible; and this, among other precautions, leads to the use of a maximum age limit.

III

The third argument is quite different. Coldly stated, it is that **an undue pressure is constantly being brought to bear on the employment office for the hiring of older men,** to the extent that some counterbalance is necessary for a normal and equitable result. The maximum hiring age limit provides this balance.

Such a statement as the above requires an explanation. What is this pressure, and how can it be said to be undue, in the case of the older worker?

Employment offices are constantly receiving requests relative to applicants of all ages, from employees, foremen, and interested persons not connected with the plant. "Please hire this man, he needs work so badly," "Please, this one has been ill," "This one is a relative of a valued employee," "This one has skill, experience, special training," "This one has had bad luck." Such is the steady accompaniment of our days.

These comments do have an influence on selection. The employment interviewer must base his decisions upon such facts as he can secure, and the acquaintances of applicants can often give or corroborate facts. Moreover, the arguments presented are often thoroughly valid for hiring, provided suitable positions are open. And finally, the mere attention-getting value of these pleadings is of itself a significant force. Strange as it may seem to the uninitiated, the thoughtful interviewer will realize that he is sufficiently swayed by the pleadings of Tom and Dick in favor of Harry, to affect hiring statistics.

I am impressed, however, not only with the fact of this type of pressure, but with its predominant concern with the older applicants—men of 45, 50, 55 years of age. It has seemed to me that the number of sponsors for the older men is very much higher than for the younger, while the total number of older applicants is very much smaller. This is what I have called the *undue* pressure upon the interviewer in favor of the older man. To verify my impression in this matter we made a little study last spring, with the following summarized results:

During an active hiring period of five weeks, with the maximum hiring age rule in force, the percentage of male *applicants* for all kinds of work who were 41 years of age or older, was 9.3. The corresponding percentage of older males *hired* was 9.7. Thus in spite

of rejections due to age, the percentage of older men employed was almost identical with the percentage applying. In other words, with the help of the maximum hiring age limit the employment office managed to maintain a normal balance between the hiring of older and younger workers for this period.

Further indication that the percentage, 9.7, is a normal one is gotten from comparison with hirings in other periods; during the first eight months of 1928 the percentage of payroll accessions 41 years of age or over was 9.5; during the two years 1924-25 it was 8.9. A graphic distribution for all ages of men hired in 1924-25 shows an entirely smooth curve, with nothing to indicate abnormality, in the range from 40 years up. It would seem that the maximum age limit, as applied with exceptions, is only just counterbalancing the pressure.

In conclusion, let us remember that hiring is at present nine-tenths rejection, and only one-tenth selection. The two are complementary. We cannot say, shall we hire or reject the older man—the question is, shall we hire the older man and reject the younger, or not? What about the thirty-year old men, the thirty-five year old? Shall they be rejected?

The problem of the maximum hiring age limit is part and parcel of the general unemployment problem.

Old Age Pensions Finally Favored by A. F. of L.

After many years of delay the American Federation of Labor, at its recent convention, voted to inaugurate an active campaign for the enactment of state old age pension laws. The report of the Executive Council said:

"We reported last year that six states and the territory of Alaska had pension plans. However, some of these laws leave the establishment of the necessary provision optional with counties. We, therefore, recommend compulsory laws, requiring a pension commission for every county, paying a pension of at least $300 annually. We recommend 65 years as the age for applicants.

"We believe that in the coming year a model compulsory old-age pension law should be drafted by the Federation and recommended to state federations of labor as a matter of first order of importance. We should then inaugurate an active campaign for the enactment of such laws in every state."

This section of the report was approved by the convention with only one dissenting vote.

Approval by the A. F. of L. came after many years of delay. Although the American Association for Labor Legislation, the Fraternal Order of Eagles, and other organizations have long been working for state old age pension laws, the Federation has hitherto failed to lend its official support to the movement.

The Federation's convention of 1923 passed a resolution endorsing "the principle of old age pensions" and urging its affiliated unions to support the Ohio pension bill in the state referendum. But it refused to put itself on record in favor of old age pension legislation in all states, and merely requested the Executive Council to "investigate" and "consider" the feasibility of this type of legislation. The Executive Council "investigated" and "considered" for the next six years.

In 1924, the Council's report urged further investigations; in 1925, the report stated that progress had been made; and in 1926, the subject of old age pensions was not mentioned in the Council's report nor in the convention proceedings. The 1927 convention rejected a resolution urging state old age pensions, and in its place adopted a recommendation by the Executive Council for further investigation "with the idea of designing a definite plan for future guidance to be reported at the next convention."

At last, in 1928, the results of these years of study were presented to the membership of the Federation in the Executive Council's Report. The conclusion arrived at in 1928 was surprising in view of the time taken to formulate it: "We therefore recommend that the American Federation of Labor ask the Congress of the United States to make the necessary appropriation and to authorize a commission on old age incomes to study the problem and make a report"!

While the A. F. of L. was making its time-consuming investigations, old age pension legislation had been progressing. Ten states and Alaska had adopted pension laws. It is to be hoped that the 1929 A. F. of L. vote will be followed by effective action.

◇

Speaking in behalf of state old age pensions, Lieutenant Governor Lehman of New York said: "The movement for old age assistance has gained ground largely because of the growing appreciation on the part of the public not only of the justice of its demands but of economic fitness and soundness."

Old Age Pensions
Their Basis in Social Needs[1]

By John B. Andrews

INVENTION of machinery and stress of competition make it each year more difficult for old persons to secure employment. Every new machine, every advance in methods of mass production, increases the demand for greater speed, alertness and precision in the workers. Failing eyes and ears, halting mind and muscles, more and more disqualify the worker in modern industry.

The movement for old age pensions has been given great impetus during the last few years by investigations by the Federal government and by state commissions, and by reports of administrative authorities in those states where pension systems are operating.

Facts Established by Reports

Among the facts brought out with remarkable uniformity are:

(1) The high percentage of persons over 70 years of age who are without income.

(2) The worthy character of those persons.

(3) The pitiful and often revolting conditions in the almshouses where many of them are forced to end their days.

(4) The relatively high cost of maintaining these institutions as compared with the cost of pension systems.

(5) The beneficial effects of pension systems from both an economic and humanitarian point of view.

The average pension actually paid under the existing American systems is far below the maximum provided in these laws. Many of the pensioners, retaining their freedom and independence, are able partially to support themselves. The conclusion is unavoidable that the need is for old age pension systems which will permit the aged to follow as nearly as may be their natural desire to spend their declining years in familiar surroundings, with friends and relatives, under circumstances allowing them the greatest possible independence. These laws are among the most effective instruments

[1] Extracts from testimony of the writer before the New York Commission on Old Age Security, September 17, 1929.

for removing from the United States—the richest country in the world—the disgrace of antiquated, uneconomical, and brutal methods of caring for the aged poor.

Three main measures of relief have been developed to meet the problem of dependent old age: charity, saving, and insurance. Charity is not only insufficient in amount and unsatisfactory in quality, but it exercises a degrading effect upon the recipient and is repugnant to the self-respecting person. Saving is difficult for many owing to low incomes, and the urgency of immediate demands as weighed against the remoteness of old age and the uncertainty of attaining it. Insurance, unless compulsory, leaves the vast number who most need it without the protection.

Advantages of Straight Pension Plan

A straight old-age pension is desirable for those of the non-institutional poor who are now in the upper age group, say of 70 or over. Obviously they are too old ever to be protected by any contributory system of insurance. It is also important to remember that contributory plans involve complicated administrative machinery for collection of payments and preservation of records over long periods of time. In the United States, especially, where people frequently move from state to state in the course of a lifetime and where laws differ in the various jurisdictions, the administration of contributory pension schemes would present serious difficulties. The great advantage of straight pension plans is their marked simplicity.

Social Responsibility Inescapable

It is recognized that provision must be made for persons who as a result of old age are rendered incapable of self-support. It is also recognized that there exists a class even of industrious provident citizens whose earning capacity is so low that it is financially impossible for them to make provision for old age.

Our present social concept, created by consideration of the best interests of the community, by our sense of humanity and justice, and by our economic conceptions, does not permit us to disregard old age dependents. It is likewise this concept that makes it impossible for society to ignore them until it is compelled to bury them.

The fact that there exist today county or state old-age homes demonstrates that society does recognize the advisability and necessity of maintaining aged dependents.

Some states have now recognized that the method of maintaining many of these persons in a public institution is not conducive to the public welfare, that it is inhuman and unjust. Facts in respect to other less costly methods of meeting the problem show that the public almshouse is also poor economy. The development of straight old-age pension systems in recent years, after experience with the older methods, suggests the desirability of adopting universally this modern social provision for the care in dependent old age of the highest age group of the non-institutional poor.

Prepare Now for Pensions!

"WE have neglected to do anything about old age security against want until this year. At that, we are one of the few states to take any step in this direction. I am glad to say the legislature has passed a bill, authorizing appointment of a commission to study the whole problem.

"Business men are more and more coming to realize that provision of security against old age want is economically sound. I can remember, not so long ago, when workmen's compensation was considered radical, socialistic; and there are still people who regard the mere thought of old age security against want as a radical and difficult problem, to be put off as long as possible. They are willing to admit that it is inevitable. Our answer is: **'Let us prepare for it now.'** "—**Franklin D. Roosevelt,** *Governor of New York State; Bulletin of the Welfare Council of New York City.*

"THE employer who ignores economic and social dangers of creating an arbitrary **low-age** barrier to employment invites trouble. It is far better that men and women earn a livelihood than become a charge on the community. Men and women must be supported somehow. The creation of such a social burden is unnecessary, uneconomic and unwise."—*Governor William G. Conley of West Virginia.*

New York Times Editorial on Old Age Pensions

"IT is one of the blessings brought by medical and surgical skill, of public health education and supervision, and of better living conditions generally, that the span of life is lengthened for thousands. The leases of life have been extended beyond the period for which our ancestors were able generally to secure them. But this benign result has an attendant shadow: **more people are carried beyond the period of maximum strength and productivity and into a state of dependence.** This means that more attention must be given to the preparation for age, for in the very prospect of a longer life the need of funds for shelter, food and clothing, and often for added care, becomes more pressing.

"With Goldsmith, most of us love everything that is old except old age itself—'old friends, old tunes, old manners, old books and old wine.' However tolerable, even beautiful and enjoyable, old age may be made, as Laelius said to Cato, by reason of resources, means and social position, amid utter want it 'cannot be a light thing'—not even to a wise man. It is good counsel to prepare for as long an old age as the actuary allows, and somewhat beyond, for who knows what individual life may not exceed this average? But even with utmost taking thought for the morrow, **disasters may descend and trouble come that the greatest thrift could not have provided against.**

"The chief objection urged in opposition to an old-age pension system is that it would lessen individual and family prudence. **But public provision of some sort has to be made for those in distress and without private means, and the question is what is the better way to bring to them what society will not humanely let them be without.** Undoubtedly homes for the aged will be required for some, but that is a field especially for private charity. For the rest, **they will generally be better off with an allowance that supplements what they themselves or their children or other relatives or friends can do for them in their homes.** A policy that takes away even from the poorest their self-respect is unsound socially and economically. The pension system must be administered with discriminating care as well as with sympathy.

"Great industrial and commercial concerns are increasingly helping their employees to make provision for old age. The increase in group insurance is another indication of thoughtfulness for the years beyond those of productive labor. But a great field of minor industries and small busi-

ness remains uncovered. **The state has a responsibility which will be met most effectively by doing for the many what the great industries out of their concern for the future of their own personnel are doing for the few.** Governor Roosevelt is to be thanked for setting on foot the present inquiry into the feasibility of some such plan."—*September* 20, 1929.

New York Federation of Labor Endorses Old Age Pensions

AT its annual convention last August, the New York State Federation of Labor adopted a resolution in favor of a state old age pension law which would be state administered and general in its application.

This resolution approved the vigorous stand taken by Governor Roosevelt in behalf of a state pension to provide for the care of the aged citizens of the state. It urged that the state commission appointed by the legislature to study the problem of old age security make a careful investigation of the relation between industrial conditions and old age dependency, and that it make a report of findings which would constitute "a reliable reference volume."

In its resolution, the Federation suggested that in the case of women, sixty years, and in the case of men, sixty-five years, should be taken as the basis of a pension law. It also declared that the pension laws that have been adopted by other states were inadequate, and that the Canadian acts were more nearly in accord with its concept of a satisfactory law.

The convention's resolution requested, finally, that the report of the state commission and any law that it may recommend to the legislature "be published a sufficient length of time before the adjournment of the legislature to which it is submitted to permit of careful analysis by all interested citizens."

THE *National Underwriter* reports that "President Hoover is deeply concerned over the problem of old age pensions and firmly believes that the life insurance business, if it is to **prevent the extension of government further into business** and keep up with the times, must solve this matter." The President is also reported to have said that many private enterprises would be insolvent if they had to meet the actuarial standards of reserves on their old age pension obligations.

Old Age Pension Legislation

The compulsory state-wide old age pension law in **California** goes into effect January 1.

◇

The Illinois Federation of Labor has resolved to continue its efforts to obtain an old age pension law for Illinois. "If our state legislature will not **lead** in such matters, it should at least **follow** without any more delays," the resolution declares.

◇

In September, the Utah old age pension law, enacted last March, had already been accepted by fourteen of the twenty-nine counties. Among these counties which have voted to levy funds to pay the pensions is **the important Salt Lake County,** where the plan went into effect on September 1.

◇

Because the state legislature has twice refused to pass the old age pension bill, the Washington State Federation of Labor has directed its executive board to cooperate with other interested organizations in securing a **joint initiative petition** to enact the pension bill into law.

◇

In favoring old age pension legislation, John C. Lewis, president of the Iowa Federation of Labor, said: "Poorhouses are economically unsound, fundamentally wrong and are regarded as one of the **monumental blunders** of the age. They serve as pest houses rather than an institution to properly care for men and women in the evening of their lives."

◇

The New York Commission on Old Age Security has announced that it will hold its final hearings in New York City on December 4-5, and will be ready to submit its findings and recommendations soon after the legislature meets in January. The Commission is believed to be **favorable to old age pensions.**

◇

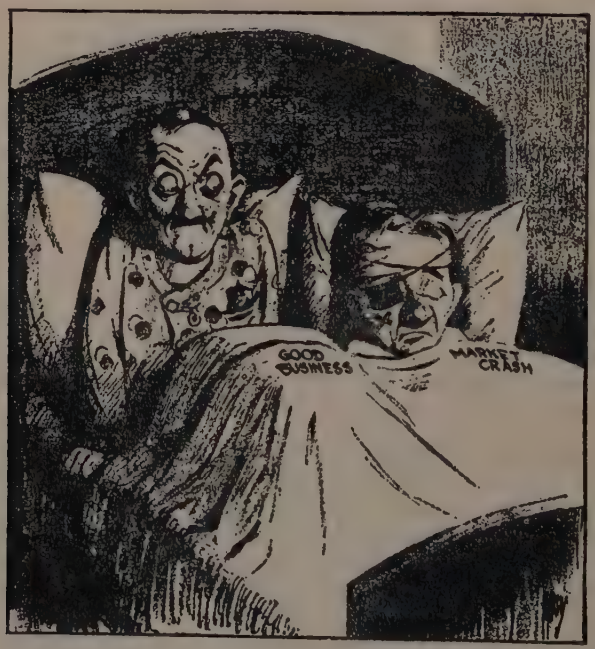
"It would seem that modern methods of production have caused some employers to believe that youth, rather than the experience and age of seasoned workers, best serves the needs of production. Consequently, at inopportune times, there have been **discharged at middle age** many veteran workers of ability, experience and settled habits, who thus face the necessity of an untoward adjustment at the age of 45 or 50 years."—*Secretary of Labor James J. Davis.*

◇

Anticipating the passage of an old age pension law by the Delaware legislature at its next session, Alfred I. Du Pont has undertaken to pay pensions to that state's most needy persons over sixty-five years of age until the proposed law shall go into effect.

Injunction Bill Endorsed by A. F. of L.

THE American Federation of Labor, at its Convention in October, endorsed the draft of a bill to regulate the issuance of labor injunctions by the courts. This bill, which is similar to that described in this REVIEW for September, 1928 (p. 318), will be introduced into Congress at the present session. Among other provisions, it declares yellow dog contracts to be contrary to public policy and void; takes from the equity courts the power to issue injunctions prohibiting persons from doing certain specified acts in labor disputes; prescribes certain facts which must be established in open court before a labor injunction may be issued; and requires a jury trial in cases of contempt of court arising out of violations of labor injunctions.



—N. Y. Times

Strange Bedfellows

Employment Agencies in California[1]

By Louis Bloch

Statistician, California Department of Industrial Relations

CALIFORNIA job seekers pay annually to private employment agencies about two million dollars. This handsome sum is paid into the coffers of licensed job sellers by men and women, boys and girls, who depend upon employment agencies for opportunities to earn their livelihoods. Approximately 500,000 temporary and permanent jobs are sold annually by private employment agencies. During the fiscal year 1927-28 the Labor Commissioner licensed 328 such agencies. At present there are 306—and the number is likely to increase during the calendar year 1929.

Total and Average Fees

Fees charged for jobs vary with the kinds of employment agencies operated. Some commercial agencies charge as high as 50 per cent of the first month's salary; others have sliding scales according to which the applicant who pays quickest pays less than the applicant who takes more time in paying off the fee. Most commercial agencies charge 25 per cent of the first month's salary. Teachers' agencies charge 5 per cent of the first year's salary. Theatrical agencies usually charge 10 per cent of the applicant's earnings. Hotel and domestic and Oriental agencies also usually charge 10 per cent of the applicant's first month's salary. General labor agencies, supplying skilled and unskilled help, charge flat rates, ranging from "two bits" for a day's job to about ten dollars for a good permanent job.

A tabulation of the reports of 281 California private employment agencies, which have already reported for the calendar year 1928, shows that these agencies sold, during that year, 450,100 jobs—for which they collected in fees the sum of $1,772,000. Of these 450,100 jobs, 294,583, or 65 per cent, were sold to male applicants, and 155,517 jobs, or 35 per cent, were sold to female applicants.

[1] Address, Mid-year Meeting, American Association for Labor Legislation, San Francisco, July 2, 1929.

But while female applicants bought 35 per cent of all jobs sold by these 281 agencies, they paid 40 per cent of the total fees collected by them. Thus, of the $1,772,000 paid in fees, male applicants paid $1,056,350, or 60 per cent of the total; while female applicants paid $715,650, or 40 per cent of the total fees. The reason for this disproportionate amount of fees paid by female applicants is that women comprise the bulk of persons who apply for jobs in mercantile establishments, and the average cost of these jobs is higher than the average cost of jobs furnished to skilled and unskilled male labor. Considering all jobs sold by private employment agencies, regardless of the durations of these jobs, the average fee charged per job in 1928 was $3.93, compared with an average of $13.71 for commercial jobs of various durations. In computing these averages all jobs were included whether they lasted one day or less, or more than one day.

The California law does not regulate the size of the fee which the employment agent may charge. Once in 1903, and again in 1923, California legislatures passed laws limiting the amounts of fees which employment agencies may charge, and on both occasions these laws were declared unconstitutional by the state Supreme Court. Prices paid for jobs to private employment agencies cannot be regulated like rates charged by public utilities. Employment agencies are considered competitive private businesses, and job applicants are their customers.

But although the California law governing private employment agencies does not restrict agencies as regards sizes of the fees, the law requires that schedules of fees for various kinds of jobs be posted in conspicuous places on agencies' premises and that such schedules of fees be approved by the labor commissioner before they are posted. This provision of the law enables the labor commissioner to see to it that the applicant is fully advised of the price he will be called upon to pay for his job. Moreover, since changes in such schedules can become effective only fourteen days after approval by the labor commissioner, it means that employment agencies cannot raise fees unexpectedly when too many applicants appear to buy the same job.

The Employment Agency Law

The schedule of fees is not the only protection against employment agencies offered by the California private employment agency

act, which is administered and enforced by the labor commissioner. Briefly, these are the other safeguards:

1. All employment agents must be bonded before they can be licensed by the labor commissioner.
2. Jobs sold to applicants must be fully and adequately described on approved uniform receipts or contracts.
3. Registration fees, direct or indirect, are absolutely forbidden.
4. If a deposit is made, or fee paid, for a prospective job which the applicant does not get, the employment agency must return the deposit or fee, within forty-eight hours; otherwise, it is liable to the applicant for double the amount of the deposit or fee.
5. Splitting fees between employment agents and employers' representatives is strictly prohibited.
6. When an employment agency sends an applicant to a job out of town, and the applicant does not secure the job, the employment agency must repay to the applicant the traveling and other expenses incurred by him.
7. Applicants sent to positions where strike conditions exist must be fully and plainly informed of such conditions in writing.
8. Employment agents are prohibited from placing minors in violation of the state child labor law.
9. Employment agencies must not be operated in connection with lodging houses, restaurants, or pool rooms.
10. Assignments of applicants' unearned wages, to insure the payment of the fee to the agency, are prohibited.
11. Regular reports must be made to the labor commissioner regarding the employment agencies' business, such as jobs furnished and fees collected.
12. All disputes regarding the terms of employment agency contracts must be submitted to the labor commissioner for adjudication.
13. The labor commissioner may revoke or suspend a license for violating the employment agency act, and without a license no one may operate a fee-charging employment agency.

The California private employment agency act gives the labor commissioner regulatory powers under which he has ample authority to prescribe the manner in which the employment agency business should be conducted.

Complaints and Refunds

Six hundred and sixty-four complaints were received by the labor commissioner during 1928 against licensed private employment agencies.[1] Most of these complaints were claims for the refunds

[1] The number of complaints of alleged violations of the private employment agency act was in excess of 1,000.

of fees which the applicants felt were unjustly collected from them. The deputy labor commissioner who receives a claim for a refund usually tries to settle the dispute by telephoning to the employment agent while the complainant is in his office. If the facts in the case appear involved, it is then necessary to set a hearing at which both the employment agent and the complainant are present.

Of the 664 such complaints received during 1928, 530, or 79.7 per cent, were decided in favor of the applicants; 107, or 16.3 per cent, were decided in favor of the employment agencies; while 27, or four per cent, have not yet been adjudicated. Inability to settle a complaint against an employment agency is sometimes due to the disappearance of the complainant, who drops the claim without notifying the Bureau of Labor Statistics.

Demands for refunds of fees which reach the bureau are only a small proportion of such demands made by applicants directly upon employment agencies. During the two fiscal years ended June 30, 1928, private employment agencies in California refunded 161,393 fees amounting to $581,249.63. In addition, during the same two fiscal years, these agencies paid to applicants, who were sent to distant places for jobs which they could not secure, the sum of $39,607.59, to reimburse them for the traveling and other expenses incurred by them.

Public Employment Offices

Ten regular permanent free or public employment bureaus are now operated by the Division of State Employment Agencies of the Department of Industrial Relations in the cities of San Francisco, Los Angeles, Oakland, San Diego, San Jose, Fresno, Stockton, Sacramento, Bakersfield, and San Bernardino. In addition to these permanent offices, seasonal offices are operated to help farmers and farm laborers during harvesting seasons. Approximately 180,000 jobs are furnished annually by the state free employment agencies, free of charge to the applicants. If the workers who secure jobs through the state free employment offices would have to pay for them the fees charged by private employment agencies for similar jobs, the cost to them would be about $600,000 annually. This amount represents the yearly savings to the workers of California as a result of the operation of the state free employment bureaus.

Fee-Charging Employment Agencies Must Be Effectively Regulated

By John B. Andrews

THE sweeping decision of the Supreme Court in the Ribnik case (48 Sup. Ct. 545) has brought forcibly to public attention the urgent need of regulating fee-charging employment agencies.

These commercial agencies appear always to be under peculiar temptation to fleece the weakest members in the community—the unemployed job seekers. For more than 75 years we have made occasional official probes, when some particularly outrageous practice has arrested public attention. And always, among some of these agencies, the same abuses have been uncovered:

> **Petty graft and exorbitant fees,** forms of extortion peculiarly available to those who deal with the unemployed; **fee-splitting** and the **misrepresentation** of conditions of employment, which are **breaches of trust** in dealing with clients whose very livelihood is at stake; refusal to return fees when jobs have not been supplied, a form of **theft** which some fee-charging agencies practice upon the needy; **catering to commercialized vice** by sending girls to places of ill-repute: these are some of the facts which official inquiry brings to light.

Several other countries, faced with a similar condition, have abolished their fee-charging agencies.[1] Several provinces in Canada, also, have recently prohibited them. In all of the Dominion only 23 remain, and they are under strict supervision. Compare this with more than eleven hundred in New York City alone.

Fifteen years ago, the State of Washington—stung by excesses of fee-charging agencies—and referring to frequent "imposition and extortion," did, by a vote of the people, declare it unlawful for an employment agent to collect a fee from a person seeking work. Under the state constitution the law went into effect December 3, 1914, but the organized agents secured a divided opinion of the Supreme Court[2] declaring that it can not be so done in America.

Most of our states in their legislation turned to the regulation of the fees charged by these agencies. But the commercial man-

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[1] In 1919 the Conference of the official International Labor Office, at Washington, urged that all practicable measures be taken to abolish such agencies as soon as possible.

[2] Adams v. Tanner, 244 U. S. 590. June 11, 1917.

agers organized, raised a fund, hired a skilful lawyer, and again from the Supreme Court got a sweeping but divided decision[3] that no state can do even that in America.

Thus two methods employed elsewhere to protect jobless men and women from unscrupulous exploitation are not available in the United States.

One means of regulation remains. A measure of control through the issuing of licenses is still open to the states.

Experience shows that the state should at least require that three tests be applied to each application for a license to operate a fee-charging employment agency:

> First, has the applicant **a good character?** The public may reasonably require that the prospective employment agent establish for himself a presumption of honesty and fair dealing.
>
> Second, are the **premises** in which he proposes to operate **suitable?** The public may reasonably insist that employment agencies do business in wholesome surroundings.
>
> Third, does the **community need** the additional employment service which the applicant offers? The public acts reasonably in restricting the number of agencies so as to insure a fair degree of economy and consequently the possibility of reasonable fees and of good competitive practices. Not to be overlooked in thus restricting the number is the possibility of providing better public supervision through state administration.
>
> These three regulations: the test of **personal character, of suitability of premises,** and of **community need,** are essential to protect the public welfare.

The application of these tests has been made with success in Wisconsin since 1913. It simply means that the State Industrial Commission, under the law, invites the applicant to a public hearing where he will be expected to discuss these points in the presence of representatives of the local Chamber of Commerce and the Federation of Labor. Naturally the applicant of shady reputation prefers not to "face the music," while those of good character welcome the opportunity. The number of licensed agencies in Wisconsin has gradually been reduced from 39 to 13, and this number (with the 9 efficiently managed public employment bureaus) presents no overwhelming obstacles to effective State supervision. New Jersey

[3] Ribnik v. McBride, 48 Sup. Ct. 545. May 28, 1928.

and Minnesota have, since the Ribnik decision, adopted similar legislation.

Who will say that the reputable managers of fee-charging agencies are worse off in Wisconsin than in New York? Clearly such public regulation should be welcomed by legitimate business people. And it is only reasonable in the interest of the general welfare that such public precautions be taken.

During a recent official investigation of fee-charging employment agencies in New York State, the Industrial Survey Commission put witnesses under oath and in a brief period uncovered all the usual abuses that have long flourished in this business. And since then equally vicious practices have been reported from time to time by the newspapers.

In making its official recommendations[4] to the Legislature at Albany the Commission included:

1. Concentration of the administration of the law in the state industrial commissioner;
2. A higher license fee and a higher surety bond requirement with summary procedure to satisfy just claims;
3. Adequate investigation of applicants and a public hearing on each application;
4. The formulation, by the State Industrial Board, of a code governing the character and condition of the premises in which employment agencies may be conducted and of rules governing their conduct;
5. The requirement that an agency post its fee schedule and never exceed it;
6. The granting of power to the industrial commissioner to revoke agency licenses for cause.

In introducing these recommendations the Commission said:

> "Your Commission believes that the matter of procuring employment for the residents of the State and procuring employees for the industries of the State is a matter of concern to the State itself and should not be delegated to the various localities. It is just as much a matter of State concern as is factory inspection or the requirements of safe and decent working conditions. It is a matter as to which the State should have the greatest concern, for it affects

[4] Legislative Document (1929) No. 75, State of New York.

the welfare of the poor and needy and the most helpless of our people."

The New York Survey Commission had the promise of cooperation of "the better element among private agency managers" in putting its amended legislative program into effect. But the Commission found that by a process of "double crossing", encountered at other times among these brethren, these same agencies were working under cover to kill the legislation at the very time their promises of friendly cooperation were most fervent.

But the groundwork has been laid in New York for decisive action. The Commission's official report is now available. Its recommendations are in form. **The needed legislation should be promptly adopted.**

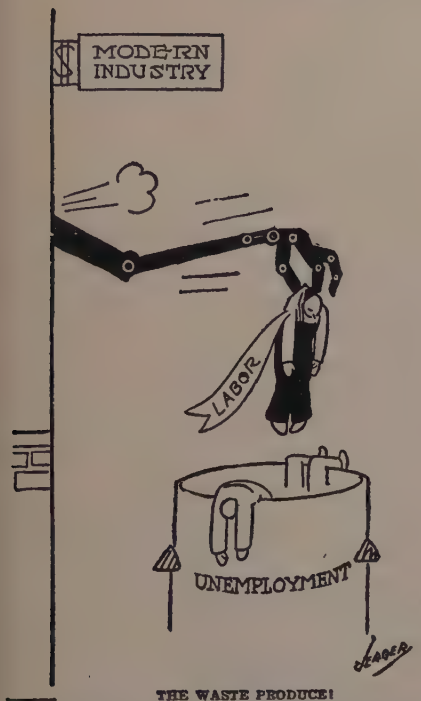
Further regulation of fee-charging employment agencies is necessary in America. No time should be wasted in discussing their abolition, which, even if desirable, is impossible. And under the present ruling of the Supreme Court their fees can no longer be regulated. The highest court, however, has positively proclaimed[5] that it is clearly within the power of the State to license employment agencies and to regulate their business. Attention should, therefore, be concentrated now upon effective means of regulation through licensing.

[5] In Ribnik case above, and in Brozee v. Michigan, 241 U. S. 340 (1916).

Unemployment

UNEMPLOYMENT not only breeds poverty. It is a source of moral disintegration from which every man and his family must be protected. The increase of labor saving machinery, the processes of efficiency in industry and the intensification of mass production are making the problem of unemployment of ever increasing social importance. We advocate the adoption by business, state and nation of some form of unemployment insurance, as well as some system of nationally interlocking employment agencies which will intelligently direct labor and aid in averting crises of unemployment. We urge the adoption of such plans as provide for the formation of municipal, state and national sinking funds in times of employment and prosperity which can be administered in times of depression for the speeding up of necessary public works.—*American Rabbis, Program of Social Justice.*

"Waste Produce"?



THE WASTE PRODUCE!

"Eighteen per cent better results with over ten per cent fewer employes is the contribution American railroads are making to the current advance in the efficiency of American industry . . . ." —*Locomotive Engineers Journal.*

NEW machines and new methods are said to "lighten the burden of human toil." Here is the other side of the picture.

Technological unemployment is a human by-product of prosperity. It is particularly distressing when the victims are skilled men deprived of their trades as well as their jobs. The older craftsmen find it difficult to secure even unskilled employment.

"A cost of progress"? But a cost which sound legislation can and should reduce. The transition to a new job should be expedited by a federal-state system of public employment offices. Old-age pensions will save the displaced older worker from the disgrace of the poorhouse. And the time will come when unemployment insurance will be universally accepted as a legitimate charge upon industry and society: a payment for the benefit of industrial progress and an economic incentive to minimize the human "waste produce" of industry.

Whiting Williams on Jobless Men

"My contact as a worker with the miseries of joblessness has convinced me that the ordinary unskilled worker is almost unbelievably lacking in the ability to approach effectively his problem of finding a job.

"In Pittsburgh I found hundreds if not thousands of job-seekers milling around, hour after hour, and day after day, from one factory gate to another, in the utmost of despair and with frequent exclamations of bitterness against society in general and the government in particular—yet all the time with other factories hardly a mile away looking for workers! The whole thing struck me—and still strikes me—as causing a state of mind which, when possessed by thousands of unhappy, bitter men, represents the most serious threat against organized society and government.

"In addition, it is a crime that with the general public recognition of the evil of unemployment, we continue to do nothing to build any tool by which the number of these unhappy jobless men becomes anything but a guess. * * *

"My belief is that: (1) any government is playing with fire as long as it does nothing to lessen the bitterness of men looking, not only hopelessly but blindly, for work; that (2) there is great opportunity for larger use by both the employers and the workers of labor exchanges of some sort; that (3) proper regulation of private exchanges is very difficult, though perhaps not impossible; and that, finally, there is, in any case, great need of public exchanges whose expense is met mainly by government but whose activities are under the direction of boards comprising balanced representations of the various interests involved."—*Hearings before the Committee on Education and Labor, U. S. Senate.* (Senate Report No. 2072; p. 167.)

Hoover's Unemployment Policy

By George H. Trafton

IN the September issue of this Review,[1] attention was called to Herbert Hoover's consistent record in behalf of an intelligent plan for the prevention of unemployment. Now, still another chapter is being added to that record. When the recent stock market "debacle" threatened to turn a business recession into a business crisis, it was gratifying to find Mr. Hoover so promptly taking the leadership in a movement to remedy an apparently serious situation.

On November 15, the President announced a series of preliminary conferences for the purpose of developing "certain definite steps." Among the steps specified in that statement was the acceleration of construction projects, both public and private. The President said: "The postponement of construction during the past month, including not only building, railways, merchant marine and public utilities, but also federal, state and municipal public works, provides a substantial reserve for prompt expanded action."

In line with this statement the Administration decided to ask Congress for an additional $175,000,000 public building appropriation. This determination to apply without delay a remedy which commissions, both official and unofficial, have for many years recommended, is indeed commendable.

It is unfortunate, however, that the Federal government had no well-considered public works program already drawn up before the "debacle" occurred. There has been much comment that the hasty calling of conferences and the announcement of emergency programs might easily be interpreted by business as a warning rather than as an encouragement. Such lack of preparation on the part of the government was in danger of causing the very depression which the Administration was attempting to forestall.

This unpreparedness at a time of severe business strain serves to re-emphasize the need for federal legislation to provide in advance the means for meeting just such emergencies. As stated in the September issue of this Review, Herbert Hoover has repeatedly placed himself on record as favoring this kind of farsighted preparation. He has endorsed the reports of no less than six committees each of which recommended:

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[1] See "Hoover and Unemployment," by George H. Trafton, *American Labor Legislation Review*, Vol. XIX, No. 3, September, 1929, pp. 267-269.

1. **Provision for long-range planning of public works.**
2. **A permanent and adequate federal employment service.**

The chronology runs as follows:

1920 **Report of the Second Industrial Conference** called by President Wilson; Herbert Hoover, Vice-Chairman.

1921 **Report of the President's Conference on Unemployment;** Herbert Hoover, Chairman.

1923 **Report of the Committee on Business Cycles and Unemployment;** appointed by Herbert Hoover.

1924 **Report of the Committee on Seasonal Operations in the Construction Industries;** appointed by Herbert Hoover.

1928 **Report of the Senate Committee on the Jones "Prosperity Reserve" Bill;** endorsement of this plan by Herbert Hoover as Secretary of Commerce (Letter to Senate Committee on Commerce covering memorandum of chief of Division of Building and Housing).

1929 **Report of the Committee on Recent Economic Changes;** appointed by Herbert Hoover.

An outstanding record! There is every reason to expect that President Hoover, either in his message to Congress in December or otherwise, will **take the leadership in putting into practical effect the principles that he has so long and so consistently endorsed.**

Our readers watched the progress of the Jones "Prosperity Reserve" bill, saw it endorsed by the Department of Commerce and formally approved after public hearing by the Senate Committee on Commerce, which proposed an amendment to make it effective. Then they were unpleasantly surprised to find the Coolidge administration at the critical moment reversing itself, to prevent the bill's passage. President Hoover's record leads us to hope that the present administration will be more consistent.

The investigating committees have also uniformly favored a completely reorganized and greatly extended federal employment service. The recommendations have declared that it should be placed under the civil service and given highly competent leadership.

Here again, the President should take the leadership in asking Congress to do a really constructive piece of work. No one believes that a mere doubling of the present meagre appropriation will suffice to provide the efficient employment service that is needed. The last Congress failed to pass the Wagner bill. This bill, which had previously been introduced by Senator Kenyon, embodies the ripened judgment of the closest students of the problem, and it has had

wide endorsement. It offers the well-considered basis for the needed action.

This country should not be allowed to face another industrial depression without an adequate federal employment service and a long-range public works program.

—with anxious countenance— but with clasped hands

I WAS told by Dr. Cooper of the Kingsley House in Pittsburgh about a family whose breadwinner, though able-bodied, industrious and of good work record had been thrown out of work and could not find a new job. There were the familiar stages of fruitless hunting, the pinch of privation, the sacrifice of the children, the growing family tension, the breaking of the spirit of a willing worker and a useful member of society. The utter despair that finally seized him was described by the wife and mother in these words: "Tony, he sit all day an' looka an' looka an' looka."

Is not that a symbol of society in search of a solution of the unemployment problem? With anxious countenance, **but with clasped hands,** society "sit an' looka an' looka an' looka."

Why not begin with the task at hand? Cannot the apprehension which is widespread be quickened into action to the end that the labor market be organized as never before through a rejuvenated and efficient public employment service? Then in the light of tasks accomplished and vision gained may we not hope that industry will pick up the gauntlet and display the wit and the will and the sound business sense to regularize its activities and banish the curse of unemployment?—*Sidney W. Wilcox, University of Pittsburgh.*

A Program for Decrease of Unemployment in Philadelphia

By Morris E. Leeds

Leeds & Northrup Company

THE Industrial Relations Committee of the Philadelphia Chamber of Commerce started its work for the season of 1928-29 with an important meeting on Unemployment, which was attended by the Governor of the state, the mayor of the city, and a group of men representing local industries. That meeting made it clear that Unemployment had become generally recognized as a serious industrial evil, even in times of relative prosperity. Shortly afterward a committee was appointed to study the subject and recommend measures for dealing with it.

In reviewing the situation, that committee found that there existed in Philadelphia a number of agencies keenly interested in one or more aspects of stabilization of business and elimination of unemployment. Chief among these are:

I. The Federal Reserve Bank of the Philadelphia District, which has for years been collecting statistical information and publishing indices showing monthly fluctuations in business and employment.

II. The Department of Industrial Research of the University of Pennsylvania, which has been studying certain aspects of the problem and is willing to make it one of the chief subjects of its investigations for the next few years.

III. The Board of Education, which is interested from the standpoint of vocational guidance, and has just made a census of unemployment in over 30,000 families.

IV. The Philadelphia office of the Bureau of Employment of the State Department of Labor and Industry.

V. The Philadelphia Business Progress Association, which has a well financed three year program for the development, strengthening, and stabilizing of the Philadelphia industrial situation.

VI. A number of other trade, charitable and educational organizations.

And finally—and perhaps most important of all—

VII. The Industrial Relations Committee of the Philadelphia Chamber of Commerce itself, a body which has a very creditable record, continuing over a number of years, of work to improve industrial relations.

After drawing up a tentative report, the committee called a conference which was attended by thirty-seven persons, including many who in industry, in universities, and in community service, had the best claim to be regarded as authorities on unemployment and the regularization of employment.

In its final form this report has now been submitted to the Industrial Relations Committee, and the covering letter which accompanied it says:

"Your committee recognizes that many of the causes of irregularity of employment, underemployment and unemployment are much broader than the limits of any one community, and that for these and other reasons our work will be hampered and severely limited until other communities which may exchange labor with us become similarly active, and the work of all is coordinated in a nation-wide plan. But if everyone waits until a comprehensive national program is developed, we may wait a long time and are likely to get a program with a political rather than an industrial emphasis. We believe that the hope for immediate fundamental improvement lies in development along industrial lines. Any successful nation-wide plan must involve the coordination of the activities of individual communities, states and industries. European experience has shown that those communities which started their unemployment work before the national plan was inaugurated not only exercised a useful influence in moulding the national legislation, but have been able to maintain a better employment condition than others. Under our political institutions it is even more important than in Europe that what we do as a nation should grow out of carefully considered work by our states, cities and industries and should rest on their understanding and sympathetic co-operation. As President Hoover has asked the states and cities to co-operate with the Federal government in meeting the unemployment problem, it would be an honor to Philadelphia to be among the first to work out a practical plan.

"We believe that if one community makes a fundamental analysis of all the facts and causes operating in its area, and then marshals all the more or less isolated agencies and efforts into one integrated program looking toward the improvement of its employment score, other communities will follow."

The report opens with an estimate that on the average 7 per cent of the non-agricultural workers in this country are unemployed, with a resulting loss of $5,000,000,000 annually in wages, which is some 20 to 25 per cent of the total purchasing power of the non-agricultural workers. It emphasizes the human hardships that this entails, resulting from loss of savings, vain search for work, worry over the future, break-up of the family, loss of health. It is pointed out that these problems of unemployment and irregularity of employment are fundamentally business problems, and that they can only in very slight degree be explained by the laziness, incompetence and irregularity of workmen. The report emphasizes the fact that the situation is one which should be dealt with by industrialists. I quote as follows:

"There is today no test of the capacity of our industrial leadership so searching as its capacity to deal with this situation. If industry fails, political leaders in the legislative halls will be forced by public

opinion to take up the task. Some kind of program will be developed. It is the hope of your committee that American industry will rise to this responsibility and that Philadelphia business men will take a leading part in working out the means by which we may approach the ideal situation, namely, **that every person who is honestly seeking should be able to find work that is suited to his capacities, under conditions that are reasonable; and that when he has to change from one job to another, it should be possible for him to do so without reducing himself and his family to living conditions that will deteriorate them.**

"It is the hope that here the moral sense and good judgment of the American business men will lead them to measures which will **put the major emphasis on providing employment rather than providing for the unemployed.** The soundest and most constructive remedy we can discover for irregular employment, underemployment and unemployment is continuous employment.

"If industry is to meet this hope and provide employment for all the capable who honestly seek it, business men will have to make serious efforts to that end in their individual enterprises and in associations. Earnest thought and managerial invention must be addressed to the task."

The report makes the following specific recommendations:

1. That an Institute for the Regularization of Employment be established.

> **"Unemployment means idle plant for the manufacturer, decreased business for the merchant, anxiety and suffering for the unemployed. The economic and social losses are so great that banks, merchants and manufacturers would be justified in maintaining a properly-staffed office for the education of management on this subject.**
>
> "The primary function of this institute would be to advise concerning methods of regularization of industry when applied to, either by individual businesses or by trade associations. Its secondary function would be to carry on continuous and systematic educational work among employers as to the importance and methods of regularization."

2. Improvement of the System of Connecting Jobs with Workers in the Philadelphia District.

> The present methods of finding workers and jobs are reviewed and their advantages and disadvantages noted. **It is recommended that the Philadelphia branch of the State Employment Bureau be encouraged and helped to coordinate the work of all desirable employment agencies,** and that it also be helped to increase the number of its offices and extend its services as rapidly as it finds opportunity to do so usefully, so that either through its own central and branch offices or through associated agencies, it may give adequate service to the Philadelphia District.

3. Prosperity Reserve of Public Works.

The report recommends that the public works of the city be studied in order to determine how they can best be planned so as to regularize and stabilize employment, and that the City Planning Commission be encouraged to earmark certain parts of the city plan for execution during slack times.

4. Vocational Training and Vocational Guidance in the Public Schools.

It recommends cooperation with the Board of Education and with trade and other representative industrial bodies, so that training and vocational guidance courses may fit young people for occupations in which there will be good chances of employment.

5. Prosecution of Studies That Will Contribute to Understanding the Facts.

The Industrial Relations Committee is recommended to use its good offices in stimulating, coordinating and guiding the research work of the educational and other institutions that are in position to do effective work.

6. The Appointment of a Standing Committee, to be called "The Committee on the Philadelphia Program for Combatting Unemployment."

The report recommends that such a committee be appointed and charged in general with the responsibility of recommending to the Industrial Relations Committee and other essential groups the best means for attaining its objectives, namely the **inauguration of the most effective workable program for the regularization of employment and the elimination of socially harmful unemployment,** and that it be charged specifically with the responsibility of suggesting to the Industrial Relations Committee means for carrying out the above definite proposals.

The report anticipates a continuing program of work in the belief that any permanent plans that may eventually be decided on will have to be elaborated during a preliminary period of study and development, which may be expected to last a number of years.

A third section of the report deals with some of the studies that are being made, or are to be made, by the Department of Industrial Research at the University of Pennsylvania.

It concludes with these words of President Hoover:

"There is, to my mind, no economic failure so terrible in its import as that of a country possessing a surplus of every necessity of life with numbers, willing and anxious to work, deprived of those necessities. It simply cannot be if our moral and economic system is to survive."

Desirability of Workmen's Compensation

By William H. Taft

Chief Justice of the United States

A GOOD many years ago it was attempted in Congress to provide a Workmen's Compensation Act, or what was equivalent to it, with reference to that great body of men whose lives are constantly at stake in the operation of the transportation systems of this country. We in the Supreme Court, and all judges who have to do with the active conduct of litigation, realize the amount of time that is taken up in litigation of that kind, and also realize how much has been saved to the courts of the country by workmen's compensation acts. But we have no such system in the Federal Courts; we need it.

I hope that in the study of Negligence, which I understand is going on, you may stop for a moment and look over to the kindred subject of how insurance against injury, disaster and death of railroad employees can be carried on under the Constitution by Congress. If you will look back, as we can, to the years since those federal bills were initiated and think how much time might have been saved and how much real good could have been done by introducing what is practically a system of general insurance to save lives and limbs—and women and widows by means of sustenance after the death of the bread winner—I think you will feel stirred to a movement of that sort. It failed, I am sorry to say, because of the spirit that actuated some of the opponents which has been restated with emphasis in the revelations that recently have been made in New York in what is called the ambulance chasing investigation. Now, far be it from me to say that the Federal Bar has any ambulance chasers, but I think I would investigate and, if there are none, find it out. (Laughter).—*From address to the American Law Institute, May* 9, 1929.

Workmen's Compensation for Railway Employees

THE American Association for Labor Legislation has for nearly twenty years concerned itself with the question of workmen's compensation for railway employees in interstate commerce.

In 1912, a federal commission under the chairmanship of Senator Sutherland (now Justice of the Supreme Court) recommended legislation and presented a bill which, however, was rejected by Congress owing to attacks upon it by ambulance-chasing lawyers who even influenced some of the railway unions to oppose it.[1]

In 1925 again, when the longshoremen's compensation bill was being prepared by the Association for introduction in Congress, extensive consideration was given to this question. The setting up of national administrative machinery for harbor workers immediately suggested the feasibility of including within that federal act interstate commerce employees.[1] Accordingly, such a proposal in the form of a carefully considered bill was submitted to the Railway Labor Executives in Cleveland in January, 1926, by representatives of the American Association for Labor Legislation and the International Longshoremen's Association. The subject, however, was referred back to the various railroad labor organizations for further consideration.

Again in 1928 when this question was once more before the chief executives of the railway labor organizations upon the petition of the Brotherhood of Locomotive Firemen and Enginemen, it was pointed out in this Review that "a full report, with specific recommendations promptly and decisively made is devoutly to be wished."[2] But no report was forthcoming.

The Railroad Trainmen have for years strenuously opposed workmen's compensation. The Conductors have resolved that they would favor such legislation only if the injured man were given the option after the accident to accept compensation or to sue under the federal liability act. The Locomotive Engineers as well as the Fireman and Engineman together with several

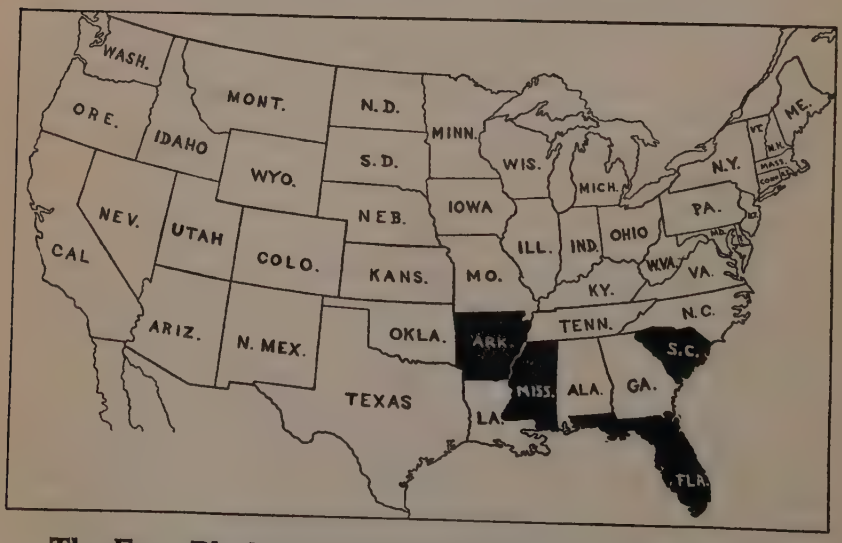
[1] See "Complete the Circle of Compensation," by John B. Andrews, AMERICAN LABOR LEGISLATION REVIEW, Vol. XX, No. 4, December, 1925, pp. 285-288.

[2] See "Railway Employees' Accident Compensation," by Cornelius Cochrane, AMERICAN LABOR LEGISLATION REVIEW, Vol. XVIII, No. 4, December, 1928, pp. 341-343.

other railway labor organizations favor the principle. And some representative employers have indicated approval.

The American Association for Labor Legislation is eager to be of further assistance. Whenever the railway labor organizations and the carriers can agree as to the desirability of accepting the compensation principle, the Association for Labor Legislation is prepared to submit the draft of a federal act and to urge its adoption.

Which Will Be The Next?



The Four Black States Have No Compensation Law.
North Carolina, in 1929, adopted this legislation.

Workmen's Compensation Will Benefit South Carolina

By Harold A. Hatch

Vice-president, Deering, Milliken and Company, Inc.

I HAVE been asked my opinion as to the desirability of a Workmen's Compensation Act in South Carolina similar to those which are in force in practically all the other states.

I am unqualifiedly in favor of such an act. Our experience in factories in New York State has shown us the value of such legislation.

Under the former antiquated system of suits for damages, there was a great loss of time on the part of all concerned, as well as the ever-present liability to excessive damages. The legal expenses were a heavy drain on both parties, perhaps especially disadvantageous to the injured worker. Of course, the relations between the employer and the injured employee were quite likely to be strained under the old damage suits.

For these and many other reasons, forty-four states have already abolished employers' liability and set up in its place workmen's compensation. Wherever this modern system has been established, I believe the majority of employers have been quick to recognize the benefits to themselves as well as to their workers and to the community as a whole. The amount of compensation is quickly adjusted. The employer knows in advance exactly what he must pay, and the cost becomes an indirect expense which the consumer bears as one of the costs of production.

Moreover, experience shows that workmen's compensation has been perhaps the greatest single stimulus to accident prevention and organized safety work. Most compensation laws encourage the employer in his efforts to promote safety by establishing the principle of merit rating in the determination of insurance premiums.

As a director in several cotton mills in South Carolina, I favor the establishment of the modern system of accident compensation for that state.

Workmen's Compensation for Mississippi

(EDITOR'S NOTE: Mississippi is one of the four states still without accident compensation. As in South Carolina, there will be opportunity for legislation at the session opening in January. The editor of the Jackson (Miss.) *News* pointed out, on October 11, one of the obstacles to past efforts in this direction in his state. Prospects now appear to be somewhat brighter for the future, and it is a pleasure to put his editorial on record below for further reference.)

"THE Mississippi division of the American Federation of Labor, in convention in Gulfport, adopted a resolution memoralizing the legislature to enact a workmen's compensation law.

"It is to be hoped that the labor organizations, in this instance, are united on the subject.

"Several years ago a model workmen's compensation law was introduced in the legislature, and had excellent prospects of passage until union labor leaders launched a fight against it.

"The bill had been very carefully framed, embodying the best features of laws in the most progressive states of the Union, notably Ohio and New York, and should have been enacted.

"However, some of the labor leaders fell under the spell of certain damage suit lawyers who felt that their business would suffer injury by the enactment of such legislation, and the measure was ruthlessly slaughtered.

"It is high time for labor leaders to wake up to a realization of the fact that they have no common interests with damage suit lawyers, especially that goodly section of the legal profession working on a fifty-fifty contigent basis.

"In other states where workmen's compensation statutes have been in existence many years the records show that beneficiaries of death and injury claims receive far more than they could possibly hope to get under a litigation system. In other words, fees for attorneys are all but eliminated, and where employment of counsel is necessary courts fix compensation on a reasonable basis.

"Mississippi has been singularly slow in the enactment of a workmen's compensation law, and if common sense prevails the measure can be enacted without difficulty at the January session."—*Editorial, Jackson (Miss.) News, Oct.* 11, 1929.

Mississippi Editors Favor Compensation Law

WITHIN a period of ten days, *The Commercial Dispatch* (Columbus, Mississippi) recently printed three editorials urging the enactment of a workmen's compensation law in Mississippi.

On October 13 the *Dispatch* pointed out that this progressive legislation has been proposed time and again in the legislature, and each time has been effectively blocked by a certain class of damage suit lawyers. "The State has had to suffer because of its failure to enact this progressive piece of legislation," continued the *Dispatch*. "It is known that many industries have refused to come into the State mainly because there is no workmen's compensation law on the books. We are surrounded by states which have this protection to both labor and industry, and industry has gone to these States instead of coming to Mississippi. * * * If Mississippi is to progress industrially she will adopt progressive legislation designed to encourage industry to come into the State. * * * The situation is one in which the businessmen of the State ought to take a hand. * * *"

On October 16, the *Dispatch,* referring to an accident to an employee of a prominent northeast Mississippi firm, declared: "If there had been a workmen's compensation law in effect in the State when the accident happened referred to above, the dead man's family would have been assured of a fixed compensation for his death without a lawsuit. As it is the family stands a chance of getting nothing."

On October 22, the *Dispatch* printed the following editorial:

"Every newspaper in Mississippi ought to start a campaign for the enactment of a workmen's compensation law at the next session of the Mississippi legislature. Such a move and the enactment of such a law would remove one of the serious obstacles to the bringing in of new industries into Mississippi. Such a law would be mutually beneficial to both employer and employee.

"A workmen's compensation law would have been on the statute books of Mississippi long ago had it not been for the persistent blocking of the measures by shyster, ambulance-chasing lawyers who exist on damage suits. The Mississippi Federation of Labor a few weeks ago passed resolutions endorsing such a measure and urging its passage. The right kind of a law would be beneficial to all concerned, except the damage suit lawyers."

Among other editorials of similar import which have appeared recently in the Mississippi press is a widely quoted statement of the Jackson *News* of October 11.

Defenders of Ambulance Chasing

With Legislative Approval

"I urge you to give your immediate, earnest consideration to this legislation so that, as far as possible, the legislature may pass such measures as will properly tend to eliminate this growing practice of ambulance chasing, which not only brings into disrepute a noble profession but threatens some of the fundamentals upon which respect for our law and our courts and their administration is found."

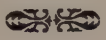
Such were the words of Governor Franklin D. Roosevelt when, in a special message to the New York legislature, he called upon that body to act upon bills introduced to eliminate this abuse. These bills embodied recommendations made by the Appellate Divisions of the Supreme Court for the First and Second Districts following the investigations conducted by Supreme Court Justice Wasservogel in Manhattan and Supreme Court Justice Faber in Brooklyn, upon the petitions of the New York and Brooklyn Bar Associations.

What happened?

The Judiciary Committee, composed entirely of lawyers, unanimously rejected the ambulance chasing measures before it. Isidor Kresel and Meier

Steinbrink, who conducted the court hearings, defended the measures, but Assemblyman Stone, of Syracuse, replied "Oh, the hell with them!"

"If that is to be the outcome," states an editorial in the New York *World*, "legislative leaders need not complain if they are labeled as the defenders of shysters, the friends of the ambulance chasers, the allies of the exploiters of poor claimants before the courts. And it is not a pretty story to lay before the people."



Compensate ALL Occupational Injuries

COMPLETE compensation coverage for occupational diseases, as long advocated by the American Association for Labor Legislation in this Review and before committees of the legislatures, was urged at the convention of the International Association of Industrial Accident Boards and Commissions, held at Buffalo in October. The convention adopted the following resolution in favor of such legislation:

> "Whereas, The experience of several States and Dominions, including especially the States of California, Connecticut, North Dakota and Wisconsin, reliably indicates that the cost of including all occupational injuries and disabilities is insignificant, and would add not exceeding approximately one per cent to the present insurance cost of accident disabilities;
>
> "Now, therefore, be it Resolved, That this Association hereby recommends to the several States and Provinces the inclusion of all occupational injuries and disabilities in their compensation laws, and it does hereby place itself on record as favoring such legislation."

This resolution is in line with the action taken by the Council of the Industrial Hygiene Division of the American Public Health Association, also in October; and by the Association of Governmental Labor Officials at their Toronto convention in June.

With this additional representative official endorsement, supplementing earlier support by numerous organizations of wage-earners, leagues of women voters, and other civic societies, the final extension of this simple justice to all victims of occupational disease should be made by all states.[1]

[1] See article in the September, 1929, issue of this REVIEW, p. 237, entitled "Occupational Disease Compensation," by John B. Andrews.

Occupational Disease Compensation in California[1]

By Will J. French

Director, California Department of Industrial Relations

THE tragic situation in one of the states, whereby a slow and deadly process of industrial poisoning does not come within the scope of the workmen's compensation system, has aroused renewed interest in the whole subject of occupational diseases.

The writer is strongly opposed to the listing of occupational diseases in a workmen's compensation act. This unfortunate mistake in a few American laws followed the English Act of 1906. This is just as obsolete a way of doing business for social needs as it would be to differentiate between accidents under a compensation system.

The Word "Injury" is Advocated

In the early years of workmen's compensation in this country, California and Massachusetts adopted a sensible plan. The word "accident" was changed to "injury." Nothing could be simpler, and nothing could be fairer.

At once the cry went up that the doors would swing wide open for all sorts of claims on account of sickness. The experience of a dozen years has shown this assertion to be unfounded.

An applicant for compensation has too many barriers to surmount before he can make headway with a claim that is not associated with industry. First comes the employer and the insurance carrier. The latter is skilled in looking after its affairs. It rejects claims that are believed to lack merit. Next comes the Industrial Accident Commission, usually efficient to ascertain causes and effects. Searching investigation follows. Finally, there is the assistance of expert medical men, who are unlikely to be swayed by sentiment. All down the line are those who must "be shown," and the applicant, standing alone, has little chance of success, unless the evidence entitles him to an award. And this is as it should be.

Will Insurance Rates Go Up?

All insurance rates provide for the occasionally unusual occurrence. In California, for example, it becomes known, from statis-

[1] From address at Mid-year meeting American Association for Labor Legislation, San Francisco, June 29, 1929.

tical information, just about how many life pension cases will follow accidents. Likewise, occupational diseases are credited into the rates. California had 16 deaths from such diseases during the four years 1924, 1925, 1926 and 1927. During the same years there were one permanent and 5,315 temporary injuries on the disease side. These, added into a great volume of nearly 1,000,000 industrial deaths and injuries for four years, do not present any special insurance problem.

Experience has shown that insurance rates are little affected by the inclusion of occupational diseases among the compensable injuries under workmen's compensation laws. Mr. J. J. Gallagher, rate expert for the California State Compensation Insurance Fund, has stated that there was no insurance problem involved in the California law as it affects occupational diseases.

He said that on November 12, 1917, when the word "accident" was changed to "injury," a loading of one per cent was inserted in the rate of every classification, to cover the occupational disease hazard, and an additional one per cent was added to such classifications where the underwriters believed the hazards definitely existed. This additional one per cent was eliminated on February 1, 1919, and on April 1, 1922, the blanket one per cent was also eliminated. This clearly indicates that there is no foundation for the belief that a broad occupational disease law, without naming the diseases, would either hamper business or seriously affect insurance costs.

Safety Here as Elsewhere

One way of preventing the spread of occupational diseases and of conserving health is to bring the principle of safety against accidents into this newer field. Studies should be made of fatigue, in its relation to employment. Poor ventilation and humidity are foes of right economic living. Defective vision is on the border line that may separate the industrial accident from the occupational disease. Industrial health is new to most of us, and yet it is vital in the consideration of any problem affecting health and accidents in industry.

When occupational diseases are recognized as part of a workmen's compensation system, as they should be, the efforts to remove them and to eradicate the causes will receive an impetus that nothing else can give. And when good air and light, and all the other concomitants of conducting business on a cizilized plane, are introduced into workshops and factories, the improved physical gains, the contentment, and the larger output, are aids that will keep occupational diseases confined to known classifications, and ultimately will direct intelligent effort to combat even those health difficulties heretofore considered as insurmountable.

When workers are peculiarly susceptible to industrial poisons, as sometimes is the case, care shuld be taken to remove them from the source of contamination. This does not, and should not, mean displacement. It does mean that a change of occupation in the establishment will remove the employee from the irritant, conserve his health, make him more useful in his employment, and give the employer better returns.

Border Line Cases

The working out of an adequate law to include all occupational diseases will automatically cover those which are well known, but there will remain the question of the odd case not generally found in occupational lists.

The famous Wisconsin typhoid fever case is in point. An employee was obliged to use contaminated water because his employment removed him from the protection given by scientific methods as applied to community life. The Wisconsin Industrial Commission rightly awarded compensation and the decision was not reversed. Does this mean that all typhoid fever cases are to be compensated? No. It does mean that an applicant for compensation must show a connection between the disease and his work, something extremely difficult to do.

A number of men in California were awarded medical care and compensation because the evidence showed they had to live in a labor camp, and the engineers had overlooked a hidden drain that contaminated the water supply. As in the Wisconsin case, the presence of typhoid fever germs was established.

Perhaps California's best-known case in this discussion was one which involved a death benefit claimed by the estate of a hospital steward who had died from influenza. It was shown in evidence that the man had to work day and night for along period of time carrying in the living and removing the dead during an epidemic. His powers of resistance were lowered, and he was in continual contact with the disease. The medical testimony was practically unanimous that the steward came under the doctrine of "special exposure." The Industrial Accident Commission was a unit in voting the death benefit. When appeal was taken, the Supreme Court unanimously upheld the Commission's ruling.

Another notable California case had an attack of pneumonia for its basis. A motion picture actor had to stand in water during a cold day for a number of hours. He suffered a chill. The doctors

testified that the pneumonia developed from the chill; so here again compensation was awarded on the theory of "special exposure."

In one or two instances in California compensation has been paid for tuberculosis claims, but only when the medical evidence was clear that an industrial accident had "lighted up" the dormant disease.

Cases such as these are rare, but the results are just as attributable to industry as the more clearly defined mishaps. The effect on the sufferer is the same. His need is similar. Society has its claims to be considered. The employer has the protection of insurance.

What Should Be the Future Attitude?

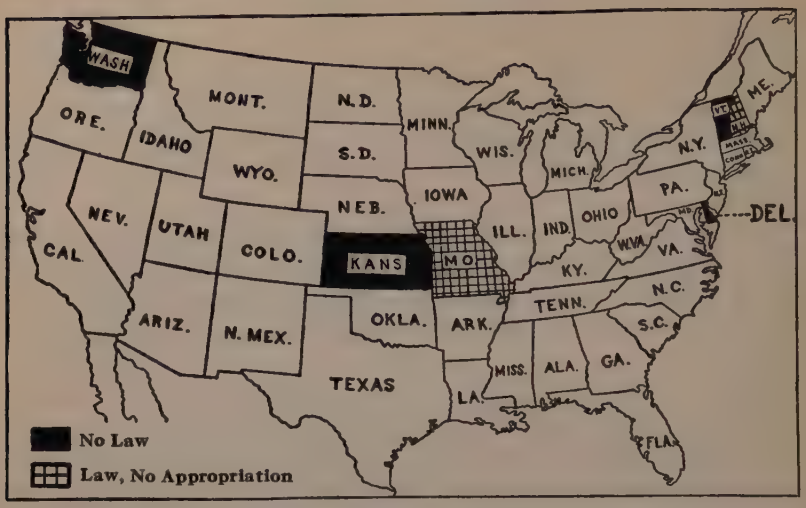
Out of a long experience in the domain of workmen's compensation, the writer believes that **progress and fairness require inclusion of all cases that arise out of and in the course of employment and come reasonably within the meaning of the word "injury."** The claimant should be required to prove his case, if doubt exists. If he does this, and if medical advice concurs, there does not seem any good reason why he should be excluded from the benefits of a workmen's compensation act. On the contrary, he should be considered as sustaining an "injury" within his employment.

There was a time when compensation acts differentiated between hazardous and non-hazardous employments, as though an injured shoe clerk were in a different status from a hurt iron worker! Happily that foolish line of demarcation has practically disappeared.

An effort should now be made to eliminate the listing of occupational diseases in existing laws. The way has been shown. Trouble will be avoided during the days to come by compensating all occupational diseases.

WALTER O. STACK, president of the Industrial Accident Board of Delaware, recently declared: "Unfortunately there are a few insurance companies evidently more interested in dividends than in their moral and legal obligations. They do anything and everything to delay payments of compensation, and often require injured workers to obtain counsel to prosecute claims."

The New Vocational Rehabilitation Map



THE above map shows **"the four laggard states"—Delaware, Kansas, Vermont and Washington**—that have failed to enter into the cooperative educational plan for the vocational retraining of their cripples.

While all the rest of the country has gone forward in this splendid humanitarian work of salvaging the human wreckage of physical disability, whether caused by industry or otherwise, the above four black states have evaded their social responsibility. And, as usual, short-sighted policies are depriving them at the same time of substantial economic values. Experience with rehabilitation shows, as usual, that the right thing also pays.

Since 1920 the Federal government has been offering cooperation which has been matched with profit by and to the more progressive states. How much longer must the cripples wait in these **"four laggard states"—Delaware, Kansas, Vermont and Washington**—before the opportunity is offered them, through this cooperative vocational retraining, to become self-respecting, self-supporting citizens?

THE Massachusetts workmen's compensation law stipulates that double compensation shall be paid when the accident arises out of the employer's negligence or his violation of safety regulations. During the seventeen years of the law's operation, the industrial accident board has made only four awards of **double indemnity.** Truly, this is a remarkable record!

Promotion of Safety and Security of Employment as a Function of Government[1]

By Robert F. Wagner

United States Senator from New York

FOR the past two decades the doctrine has been preached that the promotion of industrial safety is a function of government. Basically that doctrine rests on an article of faith: the firm belief that the so-called hazards of industry can be eliminated. Upon this conviction was erected a moral precept that **industry has a right to the labor but not to the lives of those who are employed in it.**

In less than a generation both the doctrine and its moral have become the accepted principles of the economic world. Today they seem so obviously right, so compellingly sound, that it is difficult to imagine that they have only recently supplanted the heartlessly cruel notion that each industry had its risks which those who entered it assumed and bore; that if they lost in the gamble and brought misery upon themselves and destitution to those who depended upon them, only the fates were to be blamed.

Those who first rebelled against complacent pessimism of the belief in the inevitable risks of industrial occupation had little evidence to support the new faith. There were no records, no statistics, few observations, and fewer experiments. We did not know how to make industry safe. We did not know what it would cost to make industry safe. We could not measure the effect of the competition of those who would refuse to join in the enterprise. The only force which motivated us was the violent reaction against the useless maiming and killing of which the factory was guilty with increasing frequency. **Out of that spirit of rebellion were precipitated the two specific remedies which are today coming to be universally applied. The first, workmen's compensation, rests on the proposition that if there be an industrial risk its burden should be distributed by insurance and not be permitted**

[1] From address at convention of International Association of Industrial Accident Boards and Commissions, October 9, 1929, at Buffalo.

to lie where it falls. The second, industrial safety, is devoted to the task of reducing the risk by eliminating the danger.

The safety movement has gone far beyond its first stage. It has gradually built up a body of information. It has devised for its use a statistical method. Thousands of safety mechanisms have been contrived and hundreds of salutary statutes have been placed upon the law books of the country. All this, however, is only secondary to its true accomplishment which is hidden in the unrecorded number of lives saved, of accidents prevented or families shielded from the occurrence of that terrible day when the bread winner fails to return.

When we first started to civilize the factory, it was with so-called big business that we had to contend. The opposition was organized against what was termed the intrusion of government into the private management of business. Now, however, our concern is no longer with the large enterprise. **Large scaled business has definitely mastered the lesson that industrial safety and health pay in terms of increased production, in terms of waste elimination, in terms of fewer sleepless and fretful nights for employer and employee alike.** Corporate industry has come to realize that the same energy and application which are devoted to the improvement of production and the increase of dividends must likewise be devoted to the reduction of hazards and the promotion of safety. In innumerable cases the large plants have gone far beyond the minimum requirements of law.

The legislator or industrial commissioner is now confronted with a new kind of resistance to the safety program. He is now met by **the indifference of the small plant operator who combines within himself the functions of owner, financier, production director and sales manager.** He literally has no time to think of safety. He cannot devote to it the constant thought and diligence which it demands. Payment of an insurance premium, in his case, serves only to eliminate the apprehension of possible legal liability.

Comparisons recently made between the small and the large plant have shown that the former is the more serious offender against the safety code. To be specific, in machine tool factories it was shown that one large plant had an accident frequency of 12.8, whereas eleven small plants together employing as many operatives as the one large plant, had an accident frequency of 34.15. In paper milling one large plant showed an accident frequency of 4.82, while ten small plants together employing as many as the one large one had a combined record of 63.18. In automobile manufacturing eleven plants showed a

frequency of 36.12, when one large plant had succeeded in reducing its accident frequency to .4.

In spite of the apparent trend towards large scale production, it is nevertheless true that **a tremendous portion of our manufacturing is done in plants of moderate size.** The problem of the small plant will, therefore, have to be solved if the record of improvement in safety and accident prevention is to be continued.

Another change concerning which industrial legislation and administration must bestir themselves is the **increasing importance of chemistry in industry.** We have always had some occupational diseases, but never before have they come upon us with such plague rapidity and variety. The new uses of chemical energy and chemical processes have let loose a flock of new poisons, frequently mysterious in origin and always insidious in attack. In combating this menace the government must become more alert to the dangers and exhibit greater celerity in forewarning and forearming those who will be exposed to them.

What I urge is that the government be one step ahead of industry in its acquaintance with industrial chemistry. The government ought not to wait until it is called to action by some dreadful calamity. If radioactive substances are to be employed in industry their utilization should be rendered harmless before wage-earning men and women are invited to use them. If caissons are to be used in bridge construction it is the province of government to insure their safety before workmen are invited to work in them. If a spray gun is to be employed in painting, it is the duty of the government to ascertain in advance that it may be done without danger to health.

In the sphere of industrial law-making the states are, of course, the primary jurisdictions. Since I have been in Washington, however, I have interested myself in the assistance which the Federal government might render towards the accomplishment of the objectives of the health and safety movement. **The Federal government is in its own right probably the largest employer of labor in the world.** Contrary to common belief, the men and women which it employs are by no means all engaged in clerical work. Several departments operate plants in which the conditions of work are comparable to conditions which prevail in private enterprises. The Navy Department employs over 40,000 men in its yards. The War Department has similarly over 40,000 employees on its pay-

rolls engaged in industrial pursuits. These agencies of the Federal government had it in their power to teach a mighty lesson in safety by example rather than by precept. **The Federal government should have established the standard to which private industry might aspire.** That opportunity the Federal government has not seized.

There is particular reason for dissatisfaction with the record of the War Department. In 1926 the Navy reported on accident frequency of 17.62 per million hours of exposure. The War Department accident frequency was during the same year 43.82. That is considerably in excess of the average accident frequency for all industry during that year, which was 27.7.

In 1925 the record of the War Department was even worse. Its accident frequency during that year was as high as the average for all industries and almost four times the accident frequency reported by the Navy Department.

I am authoritatively advised that the work of the Navy Department and that of the War Department are comparable. Why then is there so marked a difference in their records? I assure you that I shall take the necessary legislative steps not only to discover the reason but to provide the remedy.

Let me name another definite direction in which the Federal government might usefully have taken the lead. The budget of the Federal government yearly includes hundreds of millions of dollars for construction. It spends in that manner more than any other single agency. Of all our industries construction reports the greatest relative number of accidents. The government does not directly act as employer in its construction work. The projects are usually executed under contract. But the Federal government might have written into these contracts a safety code which would have been a practical piece of instruction to the building industry of the country. That it has failed to do.

The realization is gradually growing upon us that **safety cannot be isolated as an individual objective;** that it is the product of perfect coordination in industry in all its phases; that it is a necessary aspect of civilized business wherein men respect themselves and respect each other, where life is highly regarded, where man is master of the machine and not its servant.

There are thus brought into the scope of those who promote industrial health and safety a host of correlated problems which concern hours of labor, adequacy of wages, satisfactory housing, opportunities for self expression and self improvement on the part of the worker. **The safety movement must consciously recognize that it both contributes to and is dependent upon the general advance of industrial security.**

Social Costs of Accidents[1]

By W. H. Cameron
Managing Director, National Safety Council

"WHAT does it cost?" This is a question asked about most of our human affairs. It is the immediate query whether the article of purchase be an opera seat or a basket of clothes pins—a book or a railroad.

Costs may involve either physical and mental labor, money outlays, or lost or abandoned opportunities. In the subject under discussion the word "costs," is qualified by the word "social." By definition "social" means relating to society as a whole. I intend, therefore, to emphasize those costs of accidents in which society as a whole is most interested, and at the same time I hope to demonstrate that many costs of accidents, which do not ordinarily come under the heading of social costs, are really of that character.

Results of Accidents Are Threefold

There are three possible results of an accident which are quite obvious. It may result in a death; it may result in a non-fatal injury; or it may damage property of one kind or another without hurting any person. Certain data are available, though incomplete, indicating the frequency with which these results occur.

For example, we know that there were over 92,000 accidental deaths in the United States in 1926, and over 93,000 in 1927. We know that this is an increase of 11,000 deaths per year since 1913, but that population has increased more rapidly than these deaths; so that the accidental death rate per 100,000 population was really eight per cent lower in 1927 than in 1913. It is also true, however, that accidental deaths have been on the upgrade both in actual number and in deaths per 100,000 population since 1921. This increase for all accidents on the basis of death rates amounts to ten per cent since 1921. If the accidental death rate in 1927 had been the same as it was in 1921, 12,000 of the 93,000 killed last year would be alive today.

[1] Presented at the joint meeting of the annual conventions of the American Association for Labor Legislation and American Statistical Association, Chicago, December 26-28, 1928.

To provide the basis for effective accident prevention work we have attempted to separate these fatalities into a four-fold classification: (1) industrial accidents, (2) home accidents, (3) motor vehicle accidents and (4) public accidents not involving a motor vehicle. The information available to make this separation is entirely inadequate. In only one classification—motor vehicle accidents—can we be entirely sure of our ground. Here we do know that in 1927 there were approximately 25,800 deaths, representing an increase in the death rate per 100,000 population of 400 per cent since 1913.

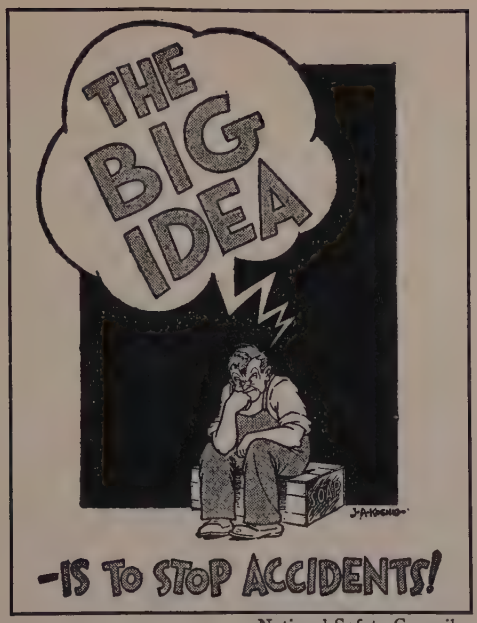
It is this type of accident, of course, which has been increasing by leaps and bounds during the last fifteen years. In 1911, one out of 40 accidental deaths occurred in automobile accidents; in 1927, one out of four.

Even in the field of industrial accidents we are still forced to the statement that we can only guess at the annual number of deaths. Including all types of accidents that occur while people are at work, we believe that in 1927 there were about 24,000, on the basis of reports from representative cities throughout the country; we estimate 24,000 deaths in home accidents; and the remaining 19,000 or so fatalities, according to our best information, occur in public places but not in the course of operating a motor vehicle.

About non-fatal accidents we know less than fatalities. Rather extensive investigations in the field of industrial accidents indicate a ratio of 135 non-fatal injuries to each fatality; information on motor vehicle accidents now available indicates a minimum of 35 non-fatal injuries to each motor vehicle death. Certain data made available by insurance companies indicate that the ratio of non-fatal home injuries to home fatalities is even higher, running perhaps 200 to one. For public accidents not involving a motor vehicle, we have almost no information, but considering the circumstances and types of accidents that occur we have made a guess (and it is a guess) of 100 non-fatal injuries to each fatality.

Granting that these figures are based on insufficient data, it seems quite certain that they are conservative—that they are *minimum* ratios. *On the basis of these figures, there are at least ten million persons injured or killed in accidents in the United States each year.*

A third result of an accident may be damage to property, with or without the injury or death of a person. I have also some approximate figures on the losses involved, in dollars and cents, includ-



—National Safety Council

ing both injury and non-injury accidents. By bringing up-to-date the estimate made by the United States Bureau of Labor Statistics, it would seem that one billion dollars must be charged to industrial accidents each year. In like manner the National Conference on Street and Highway Safety has estimated the property damage and personal injury costs of automobile accidents. Bringing their figures up-to-date we arrive at a total of eight hundred million dollars loss annually resulting from automobile accidents.

The National Fire Protection Association estimates our annual fire loss at $550,000,000. With very inadequate data we have also estimated that an additional $850,000,000 is lost annually as a result of home accidents and public accidents not involving a motor vehicle. These figures mount to the alarming sum of $3,200,000,000 as the annual cost of accidents in the United States.

Please bear in mind that while these figures are estimates only, they probably come very close to the bitter truth. The best safety and statistical engineering minds in the country gather this data for the National Safety Council.

How close our figures usually tally with the facts can be shown in a recent incident that is almost uncanny. For several months now the Council has published the fact that there were 25,775 automotive accidental deaths during 1927. On November 23, the *Chicago Tribune* and, I imagine, most of the newspapers throughout the country, carried the United States Census Bureau's official statement of accidental automotive deaths for 1927. On November 23, mind you. Their list was given as 25,533 automotive fatalities, not including motorcycle deaths. The Council list included 245 such deaths. The difference in the totals, therefore, was only three deaths. I mention this instance only to show that the figures which I am giving are probably pretty close to the truth.

It should also be remembered that human life and injuries to persons were included in these cost figures at a minimum. The figures compiled by the National Conference on Street and Highway Safety estimate the cost of a death at $5,000. This rather arbitrary figure is one used in many states for computing compensation under the state workmen's compensation law. Many students of the subject are contending that this figure is entirely too low, the estimates running as high as $30,000 for the value of a man.

In considering these social costs of accidents we should remember two things: First, all costs cannot be measured in dollars and cents. It is, after all, quite presumptuous for us to set a monetary value on human life. Who can measure the loss to society when a child of ten or fifteen is run over and killed by an automobile? That accident may have crushed out the spark of genius that would have meant incalculable good to mankind. Second, a certain monetary loss may have much greater social consequences under one circumstance than under another. An inspection of state industrial commission reports, or the records of social agencies, will reveal case after case of an injured father whose incapacity for work necessitates the selling of the family home, the taking of children from school, and the other results of a decreased or cut-off earning power.

No Warning, No Preparation

In general, the tragedy of an accident comes more quickly, more severely than that of a disease. There is no warning, no preparation. The earning capacity, the security of the home, are immediately and abruptly broken into, and the results are, therefore, even

more disastrous. It is also true that accidents strike down the healthy and strong just as often as the weakling. While this is true of some diseases it is most strikingly true of accidents. Perfect physical health may lessen the consequences of an accident but will not prevent its occurrence. The person struck down by an accident is in many cases one who had years of useful life ahead of him. Many diseases on the other hand attack persons who are already in a physically weakened condition.

Prevent Accidents!

I realize that I am speaking before associations which in the past have given more attention to industrial accidents than to the other types which I have mentioned. This is quite natural because the importance and social significance of the accident problem first became apparent in industry. The National Safety Council was organized with the industrial safety problem foremost in mind. A great deal of work has been done in industrial accident prevention. It has been done largely because the costs of these accidents, both to the industry and to society, have been realized by the employer and the public. No other reason would have been sufficient to induce the efforts and money that have been spent for industrial accident prevention work in the last fifteen years.

The results in many cases have been remarkable. You are all familiar, no doubt, with the 60 per cent reduction in the serious accident rate in the United States Steel Corporation from 1906, when intensive safety work began, to 1925. If I had the time I could give you the names of many companies which have effected like savings. The recently published findings of the committee of the American Engineering Council corroborate these instances by the conclusion that "Industrial accidents can be controlled under modern conditions of highly efficient productivity."

Because of the recognized fact that accidents in an industry have an effect that goes beyond the doors of the plant, the American Association for Labor Legislation has adopted as one of its purposes the recommendation and encouragement of restrictions of one kind or another designed to prevent industrial accidents. The National Safety Council and every person or agency interested in accident prevention must testify to the value and importance of that work.

There is much yet to be done in the prevention of industrial accidents. We know, from our own experience, and have corroboration from the above-mentioned report of the American Engineering Council, that organized safety work is being carried on in a relatively small percentage of industrial plants. Progress will be made as new plants realize that accidents mean lowered profits, and as they and society in general realize that in addition to both direct and incidental costs which must be charged against production, there are also additional costs which reach out into society and multiply the obvious losses. Consider, for instance, the loss of time spent by hospital staffs, physicians, nurses, attorneys, compensation agents, and others in repairing the damages which should have never occurred.

The effects of industrial accidents by no means confine themselves to the operating costs or the profit and loss statements of the plant in which the accident occurred. It is also true, however, that the individual industrial establishment is not immune from accidents to its employees that do not occur in the plant. Indeed it is affected oftentimes in a very direct way by accidents to persons not in its employ at all. A workman who is injured in his home is just as thoroughly and completely injured as though he had been hurt at the plant. While the employer is not required to pay compensation under such circumstances there are very real losses which he sustains.

Among these costs are those due to the loss of profit on the injured employee's productivity and on machines left idle. There is the cost due to interference with production, failure to fill orders on time and similar items. The injured employee may return to work but be temporarily or permanently crippled, with his earning power reduced to that extent. These are all losses to the employer and at the same time they are losses to the injured man, to his family, and to society. Certain plants have experienced much greater loss from accidents occurring outside the factory than from those within.

In conclusion, I realize full well that I am unable to tell accurately what the social costs of accidents are. We simply do not have the information in precise figures. Many of the losses are not of a type that can be exactly measured; for those that can be more or less accurately measured we are making good progress in obtaining new information. I think I have demonstrated, however, that accidents are tremendously costly.

I think it is quite clear also that society must stand the burden of these losses, either directly or indirectly. The costs of accidents are not confined to industry, they are not confined to the home, they must be borne jointly by everyone. It is our belief that a nation-wide program on accident prevention involving the three factors of education, engineering and enforcement of laws will help to reduce these costs. The National Safety Council is working on this program with ever increasing effectiveness and we are most anxious to have the continued cooperation of the associations meeting here.

A Call for Trained Safety Leaders

LIVING and working in the United States is every year becoming more hazardous. In 1928, there were 97,000 persons killed by accident, the largest number in the history of the country. Industrial accidents are increasing in spite of safety campaigns. In the first seven months of 1929, there were reported in metropolitan New York alone, 10,000 more industrial accidents than in the corresponding period of 1928. The movement for public and industrial safety, strong as it is, has thus far found itself unable to counterbalance the growing dangers of a rapidly moving machine age.

This situation has led the American Museum of Safety, the National Society for the Prevention of Blindness, and New York University to issue jointly a call for **"men with qualities of leadership to equip themselves for executive positions in the safety movement."**

At the same time, announcement was made that ten free scholarships to the University's course in accident prevention had been made available by Arthur Williams, president of the Museum of Safety. These scholarships will be granted to persons selected by ten organizations, including chambers of commerce, the New York Federation of Labor, the Y. M. C. A., and the city continuation schools. A well rounded course in practical safety methods will be offered these persons, who are to be selected on the basis of their capacities for executive work.

The dearth of qualified men for industrial inspection and accident prevention work is felt by state administrators of safety laws as well as by managers of private industry. Training courses to supply this need might well be organized throughout the country.

The Opposition to Health Insurance

By Alice Hamilton, M.D.

Harvard University Medical School

IN 1918 I was a member of a committee appointed by the Governor of Illinois to inquire into the need of sickness insurance. The inquiry was conducted by H. A. Millis, of the University of Chicago, and it brought to light the importance of sickness as a cause of poverty and the widespread efforts to insure against it by voluntary associations, efforts always inadequate and usually wasteful. However, the majority of the committee saw no need in Illinois for state insurance against sickness, and the subject was buried. The same fate attended efforts in other states, although the American Association for Labor Legislation has espoused the cause with all its resources. I believe our defeat can be traced to the opposition of the two largest industrial insurance companies, of the American Medical Association and of the American Federation of Labor. The motives of the first two are understandable. The opposition of the A. F. of L. was probably based largely on the belief that state sickness insurance would remove one reason for membership in trade unions, although the success of sickness insurance in England with a trade-union movement so far stronger than ours should have been sufficient to allay any such fear.

In the important field of preventive medicine, the United States is well to the forefront among the nations, and can easily make even greater progress if only more generous treatment be given the Public Health Service. It is in the field of insurance that we are most backward among modern nations. The working man in the United States lives under the shadow of three great fears, the fear of sickness, of old age, and of loss of his job, and our country, the richest in the world, seems unable to give him protection against any of these fears.—*From Letter in The New Republic, June* 26, 1929.

Control of Silicosis

By Jacob A. Goldberg

(Editor's Note: One recommendation of the silicosis investigating committee, of which Dr. Goldberg was secretary, was cooperation with the Association for Labor Legislation in working out legislative remedies. Immediately this Association arranged for an informal hearing before the State Industrial Board at which it introduced leading authorities, including Dr. Sayer of the U. S. Bureau of Mines, Dr. Lanza of the Metropolitan Life Insurance Co., and Dr. Greenburg of Yale University School of Medicine. The Commissioner of Labor thereafter appointed a safety code committee on the prevention of silicosis. This Association also recommended provision for the victims of all occupational diseases under the workmen's compensation law. A bill has been endorsed by the Commissioner of Labor and will be widely supported before the New York Legislature of 1930.)

IN the spring of 1928 a study was undertaken in New York City to determine the silicosis hazard to which rock-drillers, blasters and excavators were exposed. The organizations conducting the study, of which the writer served as secretary, recognized that while many studies had already been made of the silicosis hazard, it was nevertheless important to obtain information as to the situation in New York City. This was particularly urgent in view of the considerable amount of rock excavation being carried on, and the ever-increasing work on new subways and tunnels.

A total of 208 men were given medical and X-ray examinations. **Silicosis was found to be present in 118, or 57 per cent.** Radiographic evidence showed 23 per cent with ante-primary silicosis, 19 per cent first stage, 7 per cent second stage, and 8 per cent third stage silicosis. Blasters, rock-drillers and excavators were affected in frequency and severity in the order named. Tuberculous lesions as revealed by X-ray examination, including both those considered active and inactive, and those believed to be probably healed, occurred in 19 cases or 9 per cent of the total number. It should be noted that of 208 men examined, all were seemingly well and able to work regularly. Those who were not well or who were believed to be suffering from pulmonary tuberculosis invariably refused to come for examination.

A further check on the incidence of respiratory diseases among these workers was supplied by copies of a series of 23 consecutive death certificates of workers, furnished by union officials. The deaths all occurred between 1923 and 1928. Of the total, 10 died of pulmonary tuberculosis, 7 lobar pneumonia, 2 accidental deaths,

2 cardiac conditions, 1 chronic nephritis, 1 carcinoma of stomach. Eleven of these workers were whites, and 12 negroes. Out of 23 deaths, 17 or 73 per cent were caused by respiratory disease.

To reduce the high incidence of respiratory diseases among those workers, various mechanical measures have been recommended and some tried. A number of contrivances of a suction type adjusted to the rock drill have been proposed. About 27 patents have already been issued in the United States for such devices. So far as known, none are being utilized commercially at the present time. **It seems that effective mechanical control of the dust hazard will probably be deferred until there is some definite impetus provided by compensation laws.**

The various compensation laws generally provide medical and financial benefits for the workman who receives "a personal injury arising out of and in the course of his employment." These laws are largely concerned with the matter of accidents. Occupational diseases, such as silicosis, are not specifically mentioned in most compensation laws, but are occasionally brought in by interpretation of compensation boards and the courts through the expansion and development of the term "personal injury."

A number of cases have arisen in the courts involving silica and other mineral dusts. In Mesite v. International Silver Company (134 Atl. 264, 104 Conn. 724) the decedent had worked for 16 years as a sandbuffer and his work involved the inhalation of minute particles of sand. The worker developed pulmonary tuberculosis from which he subsequently died. The court held he had suffered a personal injury arising out of and in the course of employment. Similar cases were those of Covaleski v. Collins Company (128 Atl. 288, 102 Conn. 6); Cishowski v. Clayton Manufacturing Company (136 Atl. 472, 105 Conn. 651); and Dumbrowski v. Jennings Griffin Company (131 Atl. 745, 103 Conn. 720).

In Moore v. Service Truck Company (142 N. E. 19) which reached the Indiana Supreme Court on appeal, the claimant, working at emery wheels contracted silicosis, but the court refused compensation on the ground that there was no accident involved.

In Weinrich v. Waring (196 N. Y. 824) the Wisconsin court held that where the conditions under which the occupation of granite cutting is carried on are such as to result in pulmonary tuberculosis, compensation must be granted.

In Illinois in the case of the Peru Plow and Wheel Company v. Industrial Commission (142 N. E. 546), and in New Jersey in Smith v. National High Speed Tool Company (120 Atl. 188), the courts held that an injury to the lungs of the workers resulting from the inhalation of fine metallic mineral dust was not to be compensated.

Many of the courts are attempting to give a liberal interpretation to workmen's compensation laws. A study of a large number of their decisions indicates that the courts are seeking for a "liberal" interpretation of the laws. However, there are definite statutory limitations beyond which the courts cannot go, for to do so would upset the purposes of the various state legislatures.

It therefore appears that if the silicosis hazard is to be controlled through legislative measures, there will have to come about a liberalizing of the various compensation acts, particularly in so far as occupational diseases are concerned. English legislation, which set the precedent for workmen's compensation laws in this country, likewise preceded the several states in the recognition of occupational diseases as subject to the benefits of compensation laws. To make adequate provision for the control of silicosis through the force and influence of compensation laws, **it would seemingly serve the workers best to have enacted all-inclusive occupational disease compensation laws.** This procedure would simplify matters considerably, and silicosis could then be compensated on virtually the same points as general accidents and direct injuries to the body "arising out of and in the course of employment."

The first well organized attempt for the medical control of silicosis dates back to 1916, when the Miners' Phthisis Medical Bureau was organized in the Union of South Africa. Since that time considerable progress has been made in the control of silicosis and tuberculosis among the European and native miners. Due to the fact that silicosis was placed under the compensation law, it became necessary to develop procedures and standards of diagnosis which should rest as far as possible upon an objectively demonstrable basis. The plan and the standards set up were natural developments of the compulsory physical examinations required of all new applicants for employment as well as the periodic examination of all those already engaged in the mining industries.

In April, 1926, the Workmen's Compensation Act of Ontario, Canada, was amended to include silicosis as a compensable disease. The attempt is being made to control the silica dust, as well as to choose carefully the men entering employment in mines and quarries where the silica hazard is greatest.

In 1927 the U. S. Bureau of Mines and the Metropolitan Life Insurance Company established a clinic for the study of silicosis and

tuberculosis at Picher, Oklahoma. All the miners are given careful physical and X-ray examinations, and the attempt is being made to study, and as far as possible to control, the respiratory diseases to which these workers are exposed.

In order to bring about improvement in the silicosis hazard, it will be necessary to extend these medical measures which have already been put into effect in some places, and to institute others that have been proposed. The periodic examination by physicians competent to diagnose silicosis and to interpret the X-ray findings, will tend effectively to eliminate workers especially susceptible to respiratory diseases, and to uncover cases of silicosis.

The conclusions of the Silicosis Committee which conducted the study in New York City were as follows: (1) Rock-drilling, blasting and excavating in New York City constitute a serious hazard to the health of the workers, owing to the constant exposure to silica dust, resulting in silicosis and tuberculosis; (2) efforts must be made immediately to improve markedly, by controlling the dust concentration, the conditions under which the men employed in these occupations are compelled to work; and (3) compensation should be allowed by law for disability due to silicosis. In this connection further cooperation with the American Association for Labor Legislation and other vitally interested groups was recommended by the supervising committee.

A. F. of L. Urges Regulation of Private Employment Agencies

More rigid regulation of fee-charging employment agencies was requested by the 1929 convention of the American Federation of Labor. The report of the Executive Council said: "As private employment agencies cannot be abolished by law, the Executive Council believes that their vicious practices can be controlled by compelling them to take out licenses only after being able to prove the responsibility of the agents. The proper location of the agencies must also be considered." The convention also urged that private agencies "be made to feel the effects of the competition of free public employment agencies by the establishment of more and better free public employment offices."

Safety in the Home

By Jane Addams
Hull House, Chicago

(Editor's Note: Jane Addams was the opening speaker on October 22 in a nationwide, weekly broadcast under the joint auspices of the National Safety Council and the National Broadcasting Company. Excerpts from this address by Miss Addams, who for more than twenty years has been a vice-president of the American Association for Labor Legislation, are presented below.)

I WAS very much surprised to be told by the National Safety Council that last year there were twenty-four thousand fatalities due to accidents in the home. * * *

I am sure if you will make an investigation, the children of working mothers will be found to head the list of those maimed and injured and killed. As you know, we have in Illinois the Mothers' Pension Act, which enables a mother to stay at home with her children, because the county gives her a certain amount for the support of each child under fourteen if she cares for them properly.

I think that danger (the neglect of children by wage-earning mothers) is gradually being eliminated, the danger that arises when a mother tries to earn money for the family and also tries to give a mother's care. She can seldom do both satisfactorily. I do not mean to say that there are not many women who have done both and who have brought up their children to be fine citizens, but I believe they are the exception. Most poor women haven't the energy for this double role. * * *

There is another line of accidents which comes largely from inadequate housing. It is in such homes that we find stairs—"black stairs"—without any light. That is not unusual in the old type of tenements. I think that New York and Chicago and the other cities will in time eliminate accidents of that sort because halls will be properly lighted and because the doorways and stair heads will be properly guarded. This change is coming all too slowly, but in the main there is a march in that direction. * * *

Then there are the accidents in industry which have reaction upon the home, sometimes in the saddest way. I remembered this morning a man who had lost one hand and all but the first two fin-

gers of the other. He was working in a factory where they stamp leather which was used for the bottoms of chairs—"stamped leather," I think they called it then. He was only thirty-two, had six children, a happy-go-lucky attitude toward life, and was a great favorite at the factory. One day he was shouting to one of his fellow workmen, not watching his work, and the heavy die came down upon his hands. Of course he was careless, but there he was! He received compensation until the full limit was reached, which I believe is $4,150—I am afraid to try to quote exact figures—but at any rate it saved him and his family. But he who had been the life of the house and had carried everything along with his good will and spirit finally became very morose. He finally procured an implement which enabled him to use the two remaining fingers by wiggling his shoulder to which it was attached. He moved to a chicken farm of twenty acres, and is now supporting his family with the help of the children. His troubles are more or less settled, so far as making a living goes, and he is again becoming the jolly sort of a fellow he used to be. He refers to the first years after his accident with a sort of horror, when his wife had to go out to work and he was left to do what he could for the smaller children, and did it badly because he had no hands to do it with.

I can name a great many families like that where some sort of accident has occurred to the breadwinner. It is bad for the family on the economic side, of course, but it is also disastrous to the family life as a whole. You don't know how much of it there is until you live with working people year after year and accumulate the cases in your own experience. * * *

There are three ways in which accidents in the home may be reduced: First, through the adoption by the states of mothers' pensions; second, through an improved housing technique; and third, through education.

ADDRESSING the American College of Surgeons, at its meeting in Chicago in October, Dr. Frederick A. Besley declared that **conditions relating to industrial safety** in the West Virginia coal fields and in the Oklahoma oil fields were bad. As causes, he cited isolation, cheapness of labor, lack of economic vision, and inadequate compensation laws.

Collection of Unpaid Wages in California

By Walter G. Mathewson

Chief, California Division of Labor Statistics

(Editor's Note: Last year California collected more than a million dollars of unpaid wages. At the joint session of the National Association of Legal Aid Organizations and the American Association for Labor Legislation, held in connection with the National Conference of Social Work, San Francisco, July 3, the following paper was presented. Mr. Mathewson has been labor commissioner since 1921 and has brought about significant advances in wage collection which are a challenge to other states.)

WAGE collection activities of the California Bureau of Labor Statistics have grown prodigiously. In the fiscal year 1914-15 the bureau collected $155,804 for 5,249 wage claimants; in the fiscal year 1927-28, the bureau collected $1,002,547 for 17,171 wage claimants. The chart on the following page, taken from the latest biennial report of the bureau, shows the amounts of unpaid wages collected annually since 1915.

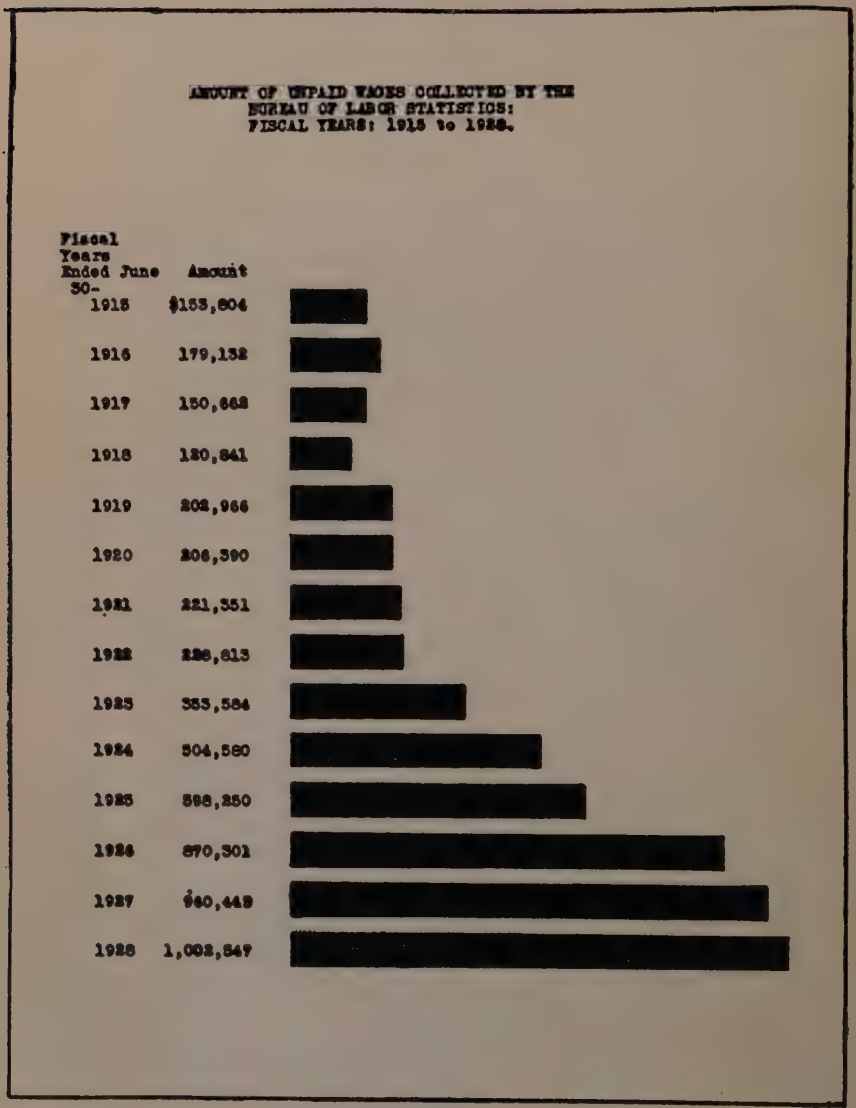
California is the only state in the Union which records such large collections of unpaid wages. During the fiscal year 1927-28 the New Jersey Department of Labor collected $21,465 in unpaid wages, only about two per cent of the amount collected by the California bureau during the same year.[1] And in 1927 there were in California only sixty-five wage-earners for every hundred wage-earners in New Jersey. Wage collection data of labor departments of other states might be cited to prove the pre-eminence of California in protecting the earnings of its workers.

Amounts Involved in Wage Claims

No limit is set by California wage laws as to the amount of wage claim which may be assigned to the commissioner of labor for collection. The payment of wages law requires that the commissioner and his representatives may "take assignments of wage claims and prosecute actions for the collection of wages and other demands of persons who are financially unable to employ counsel. . . ." As a result claims are filed for amounts ranging from less than one

[1] "Collection of Wage Claims by New Jersey Department of Labor," *Monthly Labor Review* of the U. S. Bureau of Labor Statistics, April, 1929, pp. 77-78.

dollar to more than two hundred dollars. One-third of all wage claims filed is for amounts between $5 to $25, about one-fifth is for amounts between $25 to $45. Approximately forty out of every hundred wage claims filed are for amounts in excess of forty-five dollars.



Provisions of the Wage Laws

The reasons for large collections of unpaid wages in California lie primarily in the adequacy and comprehensiveness of its laws pertaining to payment of wages, as compared with similar laws in other states. Briefly stated, California wage laws provide that:

1. Wages of a discharged employee become due and payable immediately.
2. Wages of an employee who quits or resigns become due and payable not later than seventy-two hours after quitting, unless such employee had given seventy-two hours' notice of his intention to quit. In the latter case, wages become due and payable immediately upon quitting.
3. Wages must be paid twice during each calendar month, on days designated in advance by the employer as regular pay days.
4. Where board and lodging is a part of the employee's compensation, wages may be paid monthly.
5. An employer who wilfully refuses to pay wages, when due and payable, is liable to pay a penalty for each day the wages remain unpaid up to thirty days, at the rate at which the employee was paid.
6. It is a misdemeanor wilfully to refuse to pay wages when they become due and payable.
7. Employers who fail to pay semimonthly, as required by law, must "forfeit to the people of the state the sum of ten dollars for each such failure to pay each employee." This forfeiture may be recovered by the Bureau of Labor Statistics in civil actions, or may be paid to the bureau without court action.
8. The bureau is authorized to take assignments of wage claims and to prosecute actions on behalf of wage claimants.
9. It is the duty of the Commissioner of the Bureau of Labor Statistics (now Chief of the Division of Labor Statistics and Law Enforcement) to enforce the wage laws of the state.

Needless to say, California laws relating to payment of wages were not created in their present form by one session of the legislature. At every legislative session since 1921 the present labor commissioner [2] has successfully sponsored measures strengthening the administration and enforcement of the wage laws. The 1927 session of the legislature added the penalty of ten dollars per day per employee for failure to pay semi-monthly, the thirty days' waiting time penalty, gave wage claimants the right of levying execution on one-half of the wages of a judgment debtor, and approved a measure making it obligatory upon an employer of labor to advise newly hired employees of all labor claims due and unpaid by him. Governor C. C. Young has already approved and signed seven measures sponsored by the bureau and passed by the 1929 legislature, which will further safeguard wages of California workers and make enforcement of the laws even more effective.

[2] The present Labor Commissioner is Walter G. Mathewson.

Administration and Enforcement

Twenty-seven deputies of the bureau in twelve district offices, located in industrial and agricultural centers of the state, devote most of their time to the administration and enforcement of California wage laws. Wage claimants who come in to file claims are interviewed by deputies, and the facts pertaining to wages claimed are entered on uniform blanks. Joint hearings at which both employer and wage claimant are present are held to ascertain the merits of the wage claims received. The employer may be represented by counsel; but wage claimants, who can afford to retain counsel, are not entitled to file their claims with the labor commissioner. Testimony and evidence presented at these hearings may or may not be submitted under oath, at the discretion of the deputies, and in hearings deputies are not bound by legal technicalities.

If the employer does not dispute the wage claim, but asserts his inability to pay, he is given an opportunity to pay on the instalment plan, through the bureau. As the partial payments are received, they are forwarded to the wage claimants. Wage claims having no merit are dismissed; but if the testimony secured at the hearings proves the validity of the claim, the employer is ordered to pay. If he dissents from the findings of the deputy, he is cited to appear before the district attorney, or the city prosecutor, to show cause why a warrant for his arrest should not be issued for failure to pay wages as required by law.

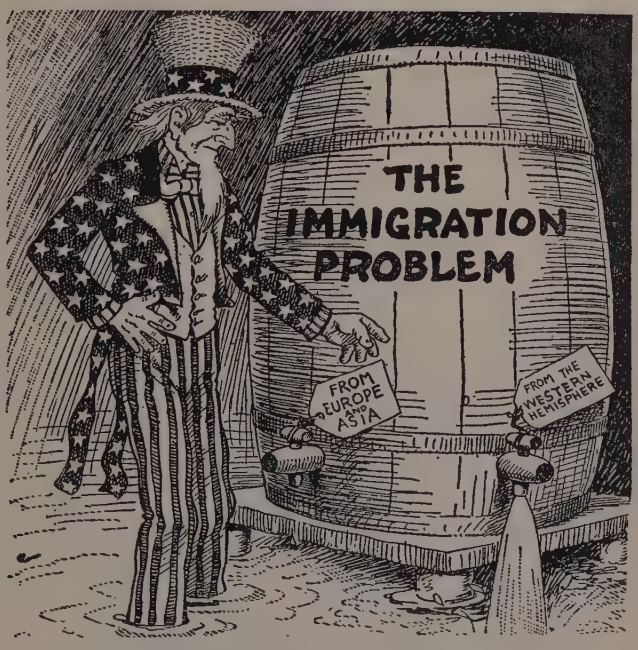
Most cases are settled without recourse either to criminal or to civil actions, but the several district offices of the bureau occasionally have to resort to the penal and civil sections of the wage laws. During the fiscal year 1927-28, 831 warrants were secured for the arrests of employers who refused to pay wages. In the preceding fiscal year the number of such criminal actions started by the bureau was 628. During the two fiscal years ended June 30, 1928, the bureau commenced 331 civil actions on behalf of 1,999 wage claimants.

Savings to the Workers

Unpaid wages are collected by the Bureau of Labor Statistics entirely without cost to the wage claimants. It is difficult to state in precise terms what it would cost the wage claimants to collect their wages, if it were not for the bureau's activities. In the first place, thousands of small wage claims would never be prosecuted

by the workers affected, as it would be cheaper to lose the wages than to become involved in court actions. The time lost would not compensate for the amount of wages recovered. Probably if the wage claimants had to resort to court actions to collect the wages due them, the fees they would have to pay to attorneys would amount to about one-fourth or one-third of the wages claimed. Since the bureau collects approximately one million dollars a year in unpaid wages, it may be said to save the wage claimants about $250,000, or more, annually in legal fees.

Mexican Immigration



About Time to Look at the Other Faucet

—Cincinnati Times-Star

"Should Mexican immigration to the United States be restricted?" is one of the questions to be discussed at the Annual Meeting of the American Association for Labor Legislation at New Orleans, December 27-30. This is a live issue, particularly in the South where, for the first time in the Association's history, the annual conference is to be held.

Senate Passed "Lame-Duck" Bill

THE Norris bill (S. J. Res. 3), proposing to eliminate the "lame-duck" session of Congress, passed the Senate by a vote of 64 to 9 on June 4. The bill provides for a constitutional amendment fixing the beginning of the terms of President and Vice-President on January 15 and of Congress on January 2, following their election the preceding November. Under the present system, which is a hangover from times in which travel was slow and uncertain, the regular session of a new Congress does not convene until thirteen months after its election. While the defeated members sit, filibustering and bootlicking often result. This is the fifth time that the Senate has passed this resolution; but the House refused three times—from 1923 till 1927—to act on the bill, and the fourth time—March 9, 1928—the bill did not receive the necessary two-thirds majority of the House to be enacted into law.

Labor Wants Compensation in "Backward South"

THE Executive Council of the American Federation of Labor, in its report to the Toronto Convention, said:

"From information gathered from many sources it can be authoritatively stated that at least 3,500,000 accidents of all kinds occurred in all industries in the past year. These are astounding figures and should awaken the people of Florida, Arkansas, Mississippi and South Carolina to the dangers of ignoring these facts. * * *

"It is indeed a shame that four states still throw the burden of care for victims of accidents on themselves or charity. The convention should call upon the people of those four states to remedy this great evil and place their commonwealths in line with other states that have passed compensation legislation."

In line with this recommendation, the convention adopted a report, which said:

"In 44 states, laws have been enacted to protect the toilers against misfortunes following accidents, while only four states—Florida, Arkansas, Mississippi and South Carolina—have failed to recognize the need for such legislation. Is it any wonder that we so frequently hear the term 'The Backward South,' used when that section of our country is referred to?"

The report urged the delegates to "contribute their efforts towards bringing this lamentable situation to the attention of all forward-looking men and women with the hope that the four states that are an exception will adopt laws and regulations to protect the toilers in those states."

Labor Legislation of 1929

1. Analysis by Subjects and by States

THE labor laws enacted by the forty-four states, two territories and two insular possessions which held regular sessions and those that held special sessions, together with the labor laws enacted by the Seventieth Congress, second session, are herewith summarized in alphabetical order by subjects and by states, with chapter references to the session law volumes. (Complete session law volumes are not yet available for Georgia and the Philippines.)

Miscellaneous Legislation

California.—Money or property put up by an employee or applicant for employment as a cash bond must only be (1) used for liquidating accounts between the said employee and his employer or (2) returned to said employee or applicant. Misappropriation or use of such money or property for any other purpose by an employer will be deemed a theft. (C. 559.)

Colorado.—Employers are forbidden to interfere with the political activities of their employees. Penalty for violation is imprisonment. (C. 121.)

Iowa.—Section of life insurance law is repealed and re-enacted. Medical examinations of applicants must not be required in industrial policies to secure approval of policy forms. Policies so written shall be incontestible for any reason except for non-payment of premiums after two years from date of issue. (C. 220.)

Maryland.—The governor is directed to appoint a social welfare survey commission which will investigate the extent of provision for care of disadvantaged citizens, the functioning of welfare departments in other states, social problems affecting Maryland citizens, and report to the governor by November 1, 1930 as to needed special legislation. (C. 11.)

Michigan.—Granting of certificate of organization to credit unions will be discretionary with the commissioner of the state banking department. Determination by directors of maximum individual share holdings and loans is made subject to limitations of by-laws adopted and approved by the state commissioner of banking. (No. 303.)

New York.—Membership in a credit union is limited, as applied to labor, to persons having a common employer. (C. 325.)

Oregon.—Law regulating formation of credit unions by seven or more persons employed in the state is repealed and re-enacted with minor changes. Credit unions must now be examined annually by the superintendent of banks. (C. 396.)

Rhode Island.—Firms employing five or more persons are required to report to the chief factory inspector their name, address, nature of business and number of adult and minor employees. (C. 1310.)

Individual Bargaining

1. PAYMENT OF WAGES

Arizona.—Salaries of all state employees are made subject to garnishment, as provided. (C. 50.)

California.—Sheriffs or constables requested by the commissioner of labor to serve a summons or levy an attachment in actions for collection of wages for those financially unable to employ counsel, shall do so without costs to the commissioner; provided that if sufficient money be collected over wages due the claimant to cover costs that would have accrued had the action not been official, that said sheriff receive his due. List of those required to give free access to the commissioner and his representatives is made more inclusive. (C. 231.) Every employer or his agent who collects any tips or parts thereof given or left for his employees by patrons, or who deducts any amount from wages because of such gratuities, must post in a conspicuous place a notice of the amount of tip, if any, which employees receive and the extent to which employees are required to accept tips in lieu of wages. Employers must keep accurate records, to be open to inspection by the department of industrial relations, of all tips which they receive either directly or as wage deductions. Penalty for violation is fine not exceeding $500 or imprisonment for not more than sixty days, or both. This law was passed "as a part of the social public policy of this state." (C. 891.)

Connecticut.—Re-enacted law requires that assignments of future earnings must now specify employer's name and expire not later than one year after the date of assignment. Method of transferring earnings is clarified. (C. 54.)

Massachusetts.—Alternate penalty for failure to pay wages weekly will be imprisonment for two months, or both imprisonment and fine already provided for. (C. 117.) Law regulating assignment of wages is amended so that certain orders for future wages will be invalid for a period exceeding two years. Three-fourths of the assignor's weekly earnings are exempted from said order. (C. 159.)

Michigan.—Amount of liability of defendant who is a householder in garnishment proceedings is lowered when labor rendered garnishee extends over one week or less and raised when labor is for more than sixteen days. (No. 262.)

Minnesota.—The method for paying claims for labor employed in the construction or maintenance of roads by counties having an assessed valuation of more than $250,000,000 and an area of more than 5,000 square miles is specified. (C. 374.)

Missouri.—The payment of $300 or less as consideration for any sale, assignment or order for the payment of wages is deemed a loan within the provisions of a law amending the law regulating the making of small loans. (H. B. 146.)

New Jersey.—Firms or corporations that can satisfy the commissioner of labor that they have a cash capital of at least $200,000 invested in the state and have arranged for full payment of negotiable checks issued for the pay-

ment of wages may, with the commissioner's consent, pay such wages by negotiable check instead of in lawful money. (C. 35.)

New Mexico.—Creditors may sue their debtors by attachment when the debt is for labor rendered at the instance of the defendant. (C. 127.) Assignments of wages must be acknowledged by a notary public, and if the person making an assignment is married same must be recorded in the office of the county clerk, and a copy thereof served on the person who is to make payment. (C. 128.)

North Dakota.—Amount of salary of any person who is the head of a family and resident of the state to be exempt from garnishment is raised. Provision is made whereby action may be taken against the state and any subdivision thereof. (C. 188.)

Ohio.—The payment of $300 or less for any assignment or order for the payment of wages is deemed a loan and accordingly regulated. The amount exceeding $300 is deemed interest upon such loan. (S. B. 52.) Wages, assignments or orders for wages must be in writing by the person earning said wages. Assignments of wages will be invalid for more than 25 per cent, instead of 50, of the earnings of any married person. Assignments will have priority according to time of filing. Balance due an unmarried person after 25 per cent has been assigned, and any unmarried person after 50 per cent has been assigned, will not be subject to further assignment. (H. B. 114.)

Pennsylvania.—Direction to municipalities to require bonds from contractors providing for the payment of all labor is extended to cases of roads and bridges. (No. 114.)

2. MECHANICS' LIEN AND WAGE PREFERENCE

California.—A joint legislative committee is created to consider the adequacy of legal protection for mechanics, artisans and laborers who have liens upon the property upon which they have worked and report on appropriate legislation to the next session of the legislature. (C. 92.) Thirty days are required after final cessation of labor to bring suit to foreclose a logger's lien. (C. 157.) Procedure for filing preferred labor claims under attachments, garnishments and executions is slightly changed. (C. 230.) Mechanics' liens are extended to all works of improvement. Surety bonds conditioned for the full payment of labor claims and those furnishing material must be construed most strongly in favor of claimants. Provisions in bonds attempting to shorten the period for commencement of action shall be invalid if the limitation is for less than six months from the completion of the work and if the bond is not filed for record. If sureties on bonds have been filed before the work's completion actions may only be maintained as provided. (C. 869.) Conditions under which labor liens on works of improvement must be filed and for estimating lien on two or more buildings, owned by the same person, on which the claimant has been employed, are slightly changed. (C. 870.) Right of actions to foreclose liens is upheld. (C. 871.)

Colorado.—Each person who performs labor upon a well, oil derrick or tank, oil or water pipe line, pumping station, transportation line, gasoline plant and refinery, under a contract with the owner of said property or his agent,

shall have a preferred lien upon such properties. Procedure for filing claim commencing action and assigning claims is specified. (C. 123.) Procedure for withholding from awarding of contracts funds to insure the payment of laborers' claims is specified. (C. 148.)

Delaware.—Law is repealed and re-enacted so that when foreign corporations doing business within the state, in addition to other corporations already mentioned, become insolvent employees shall have a prior lien upon the assets for wages due them, not exceeding two months' wages. Officers are not included as employees. (C. 137.)

Hawaii.—Mechanics' liens are extended to those furnishing labor in the alteration or addition to any undertaking. After the owner of property has filed notice of completion and so notified all workmen, liens will continue for 45 days, unless proceedings are begun to enforce the same within 45 days. (Act 207.)

Illinois.—Threshermens' liens are only valid against purchasers of crops from owner if the lien holder serves purchaser with a notice of said lien before the final settlement of sale. (H. B. 361.)

Indiana.—Time in which persons engaged in packing for shipment, storage or hauling must file notice of intention to file lien, is extended to thirty days after performing such labor. (C. 7.) Every company or person about to engage in mining, quarrying, or manufacturing and not owning the plant or appliances to be used must file a bond, as specified, for twice the weekly payroll, on which employees shall have a right of action for wages when overdue. If the value of physical property is double the weekly payroll the filing of a bond is not required, provided that wages are paid when due. Fine for failure to file bond, $100 to $500 for each day that business was conducted without filing said bond. (C. 41.) Persons or corporations having an interest in property upon which a mechanics' lien has been taken, in addition to the owner as already specified, may notify the lien-holder to commence suit and file a written undertaking with approved surety that they will pay any judgment that may be recovered therein, in which judgment costs of attorneys' fees allowed by the court will be included. (C. 113.)

Maine.—Law is amended so that persons furnishing materials for manufacturing or repairing the ironwork of vehicles, in addition to those manufacturing or repairing said vehicles, are given a first lien on such vehicles for materials used. (C. 279.)

Massachusetts.—Petitions to enforce claims for labor on securities of agents constructing or repairing state public works, must be filed in the county superior court within one year after the claim has been filed. (C. 111.)

Michigan.—Law requiring claimant to notify defendant of intention to file claim for certain mechanics' liens is amended. (No. 264.)

New York.—Amendments to mechanics' liens law include provisions that liens for labor performed or materials furnished in the improvement of real property be given priority over mortgages, in addition to other claims already specified. Mechanics' liens against real property, the owner of which wishes to obtain a loan by executing a bond secured by mortgage on said property, shall be subordinate to the lien of the bond and mortgage, as provided. The

execution of bonds to discharge all liens is provided for. Itemized statements may be required of lienor and, if same are wilfully exaggerated, liens will be declared void. Contractors and materialmen are put on a parity in the matter of liens, regardless of which suit was filed first, same not to disturb the priority of liens for wages. (C. 515.)

North Carolina.—Law regulating laborers' lien on lumber and its products is extended to include loggers. (C. 69.)

North Dakota.—Law requiring notice and consent of owner to protect a mechanic's lien is repealed. (C. 154.) Foreclosure of mechanics' liens on buildings separate from land is provided for in certain cases. (C. 155.) Time in which threshers' liens must be filed after threshing is completed is extended to thirty days. (C. 156.)

Oregon.—Boarding houses used in connection with the working of a mine are made subject to miners' liens. Miners' liens are made prior to mortgages or other encumbrances. Instead of exempting owners of mines or other excavations or structures used in connection therewith from laborers' lien when said property is worked by a lessee, liens against lessees are limited to labor performed during the forty days following the time when the last of said labor was performed. (C. 117.) Lien laws for harvesting or threshing crops and for farm labor are combined in one law thereby changing individual laws in certain respects. Provision is now made for enforcement of farm laborer's lien in case crops have been sold and identity of same has been lost. Number of days allowed for filing of harvesters' liens is reduced, and this section is applied to farm laborers generally for the first time. Number of months in which liens will be enforceable is increased. Fifty per cent of the interest of lessors in crops raised when premises are leased is exempted from lien. (C. 372.)

Pennsylvania.—Definition of "structure or other improvements" in mechanics' lien law is extended to wells for liquid substances. (No. 433.)

South Dakota.—Procedure for filing claims for labor on any public work is specified. (C. 213.)

Texas.—Liens are extended to those who, under contract, haul material for any owner of land, mine or quarry, gas, gas or oil pipe line, or oil or gas pipe line right-of-way. (C. 223.) Period in which mechanics' liens contracts must be filed is extended to three months after the indebtedness accrues. (C. 224.) When certain claims attempting to fix liens on public improvements are filed, surety bonds may be given by the contractor affected. Limitation of actions to establish claims is provided for. (C. 78, 2nd Special Session.)

Utah.—Law requiring filing of mechanics' liens before doing work is repealed. (C. 18.)

West Virginia.—Provisions relating to surety on bonds required of persons contracting for the construction or repair of public buildings to be used in case of failure to pay for materials, equipment and labor, are clarified and strengthened. (C. 76.)

Collective Bargaining

1. TRADE UNIONS

Nebraska.—The use of union labels is authorized. Fee for recording same, $2. Unions may enjoin the manufacture, use or sale of counterfeit labels, and penalty is imprisonment for not more than 30 days or fine of $25 to $100. (C. 136.)

Pennsylvania.—Law encouraging agricultural and industrial cooperative associations is repealed. (No. 211.)

Wisconsin.—So-called "yellow dog" contracts are declared void. Every undertaking or promise hereafter made in either: "(1) a contract or agreement of hiring or employment between any employer and any employee or prospective employee, whereby (a) either party to such contract or agreement undertakes or promises not to join, become or remain, a member of any labor organization or of any organization of employers, or (b) either party to such contract or agreement undertakes or promises that he will withdraw from the employment relation in the event that he joins, becomes or remains, a member of any labor organization or of any organization of employers; or (2) in a contract or agreement for the sale of agricultural, horticultural or dairy products between a producer of such products and a distributor or purchaser thereof, whereby either party to such contract or agreement undertakes or promises not to join, become or remain a member of any co-operative association or of any trade association of the producers, distributors or purchasers of such products, is hereby declared to be contrary to public policy and wholly void and shall not afford any basis for the granting of legal or equitable relief by any court." (C. 123.)

2. TRADE DISPUTES

Connecticut.—Law providing for arbitration of disputes is repealed and re-enacted in much greater detail. A party to a written agreement to arbitrate may, upon the refusal of the second party to proceed, apply, as provided, to the superior county court for an order directing compliance with the agreement. Method of appointing arbitrators who are given the right to issue subpoenas, appoint the time and place for hearings, administer oaths to witnesses, is specified. A majority of the arbitrators may determine questions. Assistance of judges in certain questions is authorized. If not otherwise fixed in the agreement, awards must be rendered within sixty days after the arbitrators are empowered to act. Within a year after the award has been made applications may be made to the county superior court for confirmation, which court may vacate, modify or correct awards for specified reasons and in the manner provided. (C. 65.)

Idaho.—Sections of the compiled statutes creating a labor commission to arbitrate and mediate labor disputes are repealed. (C. 5.)

Minnesota.—Notice and hearing in court is made an additional requirement preliminary to the granting of an injunction. A temporary order restraining all parties to the action may be issued without notice or hearing upon a proper

showing that violence is actually being caused or is imminently probable. (C. 260.)

Oregon.—In arbitration cases provision is made for remedy in case of one party's default in signing written agreement specifying demands to be submitted, names of arbitrators and court. (C. 350.)

Pennsylvania.—Applications of corporations or individuals of specified industries to the governor to appoint Industrial Police for such corporation or individual must now contain information relating to the previous employment, and state residence and character of persons designated for appointment. The governor is directed to investigate such statements and the necessity for said appointment; and may refuse to make said appointments, revoke commissions, and require monthly reports from policemen. For refusing to surrender commissions policemen will be fined not more than $100 or imprisoned for not more than sixty days, or both. Bonds conditioning the faithful performance of duties of industrial policemen are required. (No. 243.)

Minimum Wage

1. PUBLIC WORK

Hawaii.—Minimum wage for laborers on public works is raised to $3 a day. (Act 86.)

Kansas.—Salaries of police departments in certain cities of the first class are raised. (C. 118.)

Nevada.—Wage for unskilled labor on public works is raised to not less than $4 per eight-hour day for each male person over the age of eighteen years. (C. 44.) Boards of school trustees are authorized to pay to any teacher unavoidably absent from illness or death in the family his or her salary for not more than ten school days in any one school year. When a longer intermission, not to exceed thirty days, has been ordered because of sickness or epidemic there shall be no deduction of salary. (C. 65.)

2. PRIVATE EMPLOYMENT

Utah.—Minimum wage law for women is repealed. (C. 9.)

Hours

1. MAXIMUM

(1) Public Work

California.—Law requiring eight-hour day on public works is applied to work done for any political subdivision of the state. Contractors must keep records of names of workers and hours worked, to be open at all times for official inspection. Work done for irrigation, reclamation and similar districts, as well as for street or other improvement work as already provided, are included, but the operation of the irrigation or drainage system of any irrigation or reclamation district is excluded. (C. 793.)

Montana.—For raising of penalty for violation of hour law on public works, see p. 424.

New Jersey.—Law requiring six-day week for uniformed members of municipal paid police departments is extended to municipalities with a population exceeding 5,000 inhabitants. (C. 123.)

Oregon.—Foremen, watchmen and timekeepers employed on public works and paid on a monthly rate are exempted from law regulating hours on public contracts. Labor employed by any dock or port commission while handling cargo for maritime commerce is exempted from provision requiring double pay for overtime. (C. 358.)

Wisconsin.—The industrial commission is authorized to investigate violations of law regulating hours of labor on public buildings. Contractors on public buildings violating the hour law will be fined $10 to $100 for each day of non-compliance. (C. 367.) A study of hours of labor in state charitable and penal institutions and the feasibility of placing employees of these institutions on an eight-hour day is directed. (C. 447.)

(2) Private Employment

California.—Maximum penalty for employers or their superintendents who violate women's hour law is raised to $100 for first offense. (C. 40.) Eight-hour day and 48-hour week is extended to women employed in any industry or barber shop. (C. 286.)

Michigan.—Law limiting hours for males under eighteen and females is extended to those employed in hospitals. Exemption is extended to student and graduate nurses in hospitals, fraternal or charitable homes. (No. 299.)

Montana.—Maximum penalty for violation of hour-law for underground miners, smeltermen and employment on public works, is raised. (C. 116.)

New Hampshire.—Unless otherwise agreed to by parties concerned, ten hours' actual labor will constitute a day's work. (C. 93.)

Rhode Island.—Women working by shifts during different parts of the day for a public utility are exempted from hour regulations. (C. 1316.)

Wyoming.—Failure to keep conspicuously posted in each establishment where females work a copy of the women's hour law is mentioned specifically as a violation. Unusual pressing business or necessity is no longer a ground for employing a female at any time. (C. 62.)

2. REST PERIODS

(1) Public Work

Connecticut.—Commissioners of any state department may grant to any employee a leave of absence for not more than thirty days with full pay in case of sickness or other disability. (C. 106.)

Florida.—In counties with a population of 43,357 to 44,500 all employees employed at least one year will be granted an annual six-day vacation with pay. (C. 13631.)

Hawaii.—Instead of a two weeks' vacation for public employees on the basis of 250 working days, twelve days will be granted. (Act 95.)

Massachusetts.—All policemen and firemen, in certain towns, may be granted a two weeks' vacation annually. (C. 206.)

New York.—Every member of a police force is entitled to one day of rest in seven, except in cases of emergency. (C. 701.)

(2) Private Employment

Maine.—Telephone exchanges in which operators are able to sleep the major part of the night are exempted from the law requiring women in certain occupations to work not more than six hours continuously at any time without an interval of at least one hour. (C. 179.) Those operating common carriers, driving vehicles, printing and selling Sunday newspapers, keeping open hotels, restaurants, garages and drug stores, selling gasoline, or giving free religious or educational lectures are exempted from the provisions of the Sunday rest-day law. (C. 303.)

Massachusetts.—The retail sale of bread before 10 A. M. and between 4 and 6 P. M. by those authorized to keep open on Sunday is exempted from the Sunday rest-day law. (C. 118.)

West Virginia.—Fine for Sabbath day labor is raised to not more than $15 for each offense. (C. 44.)

Employment

1. PRIVATE EMPLOYMENT OFFICES

California.—Farm labor agency is included in definitions of employment agencies. Fee is further defined as the difference between the amount of money received by said agency and amount paid by it to the farm laborers hired or provided. (C. 89.) Notice of employment agency's refund of fee to applicant who fails to obtain employment within forty-eight hours must be inserted in employment receipt given to applicant and in schedule of fees posted in agency. (C. 215.)

Colorado.—The deputy labor commissioner, instead of the commissioner of labor statistics, is charged with the administration of the private employment agency law. Licenses may be refused if after due investigation it is found that the character or business methods of the applicant unfits him for the business, or if the premises are unfit. Licensed agencies are required to report monthly on the number of applicants registered and placed, and may advertise and demand a fee only when they have a definite vacancy from a responsible source. Provision limiting fee for receiving or filing application for employment or help is omitted. (C. 145.)

Iowa.—Employment agency licenses must be secured from a commission consisting of the industrial commissioner, secretary of state and labor commissioner, all serving without compensation. Applications must be accompanied by affidavits of at least two reputable citizens in no way connected with the applicant as to the applicant's good moral character, reliability, and citizen-

ship. If applicant is a firm or corporation, each of the members or officers must so certify. A surety bond of $2,000, to pay any damages that may accrue, and a schedule of fees to be charged, must accompany application. Applications may be revoked within thirty days of filing. Same expire on June 30 following issuance. License fees are graduated, from $5 to $500, according to population. Licenses may be revoked for non-compliance with law. Penalty for not securing a license, a misdemeanor. Exemption from fee-charging limitation in existing regulation is extended to chambers of commerce; fraternal, religious and benevolent organizations; employers', farmers' and civic organizations; foundations or community trusts. Law giving cities and towns the right to regulate employment bureaus is repealed. (C. 49.)

Michigan.—Private employment agency law is repealed and completely re-enacted. The governor is directed to appoint a state superintendent of private employment bureaus, at a salary not to exceed $5,000 per year. Assistant's salary not to exceed $1,200 a year. Every person operating a fee-charging employment agency must first procure a license, good only for those to whom they have been issued and for the place specified unless the superintendent consents to an extension; non-fee-charging bureaus must secure permits. Granting of licenses are dependent upon investigation as to good moral character, business integrity or financial responsibility, and upon any good reason within the purpose of the act. A license application must be accompanied by a bond of $1,000 to guarantee refunds to employers or employees under certain conditions. Cost of licenses is graded from $50 to $200, according to population. Granting of permits is contingent upon an investigation and compliance with the meaning of the act and shall cost $5 each. Holders of permits must keep records of those placed, open to the superintendent's inspection. Employment offices maintained for intra-organization purposes are excluded from the act. Applications for permits or licenses must be granted or refused within thirty days and shall remain in force until December 31 after day of issuance. Licenses may be revoked or refused for non-compliance; upon revokal, they can not be reissued for three years. Licenses are divided into three classifications, each class of agency being regulated by special provisions. In all classes, licenses must be hung in a conspicuous place; receipts must be issued for payments received; complete and detailed yearly records of all orders received and placements made must be kept, open for the state superintendent's inspection for the sole purpose of seeing that the act is complied with. The state superintendent may require a detailed account of an employment agent's business only upon complaint of an employee or employer. Employment agents are forbidden to direct employees to employment unless they have bona fide orders therefor, and refunding of fees for directing employees to places where no employment exists is regulated. False advertising, fraud and fee-splitting are prohibited. Girls must not be sent to unmoral places. Penalty for violation is fine of $300 to $1,000 or imprisonment for not more than four years or both. Appropriation, for fiscal year ending June 30, 1930, $9,450; for fiscal year ending June 30, 1931, $9,200, to be used as provided. (No. 321.)

Minnesota.—Granting of licenses by the industrial commission to employ-

ment agents is made conditional upon suitability of premises and need for the proposed agency, in addition to good moral character of the applicant, as already provided. Revokal of license will follow failure to comply with the provisions of the act or with any lawful orders of the commission. (C. 293.)

New York.—Registries conducted by duly incorporated individual alumnae associations of registered nurses are exempted from law regulating employment agencies. (C. 164.)

North Carolina.—Private employment agency law is enacted without repeal of existing law. New features direct the commissioner of labor and printing to investigate the character and moral standing of each applicant for a license and make licensing conditional upon such investigation. Charge of initial fee for service and fee limitation are no longer forbidden. Method of rescinding licenses is changed and licensee is given the right of appeal to Superior Court. The commissioner of labor, his assistant or deputy is now empowered to subpoena witnesses. The license fee must be paid into a special fund of the Department of Labor to be used for supervision and regulation. Penalty for person who violates act is no longer left to court's discretion, but fine of not less than $500 or imprisonment for not less than six months, or both, is imposed; minimum fine for corporations is raised to $500. The act is no longer limited to employment agencies which "hold themselves out" for public service but specifically states that government employment agencies are unaffected. (C. 178.) Every emigrant employment agency or agent must obtain a state license at $500 for each county in which said business is carried on. State license for employment agencies is made $100 to $500 annually, dependent upon population. Government agencies or those procuring farm employees are exempted. Penalty for violation, fine of at least $1,000 or imprisonment at the court's discretion, or both. Counties, cities and towns may levy a license tax on these businesses, not over that levied by the state. (C. 345.)

Oregon.—Applications for private employment agency licenses must, in addition to already required statements, specify the applicant's name and address, address of proposed agency, and names and addresses of all financially interested in the business' operation. After receipt of application the commissioner of labor may investigate the character and responsibility of applicant and of proposed premises. Applications must be granted or refused within thirty days of date of filing. In towns of more than 15,000 inhabitants licenses will not be granted when agency is going to be conducted where boarders or lodgers are kept or meals served or where the recipient would benefit from the sale of rail or stage transportation. Licenses, if revoked, will not be reissued for one year. License fees and amounts of bonds required are considerably raised, except that a female employment agent must pay only $50 for license and furnish bond of only $1,000. Of each fee, not more than $600 will be set aside to defray cost of investigating violations. Liability of agents to return fees under certain circumstances is no longer limited to cases where applicant for employment has been sent to any place within the state. Clerks or employees working for wages only and not otherwise financially interested in the business will not be deemed employment agents. (C. 297.)

Pennsylvania.—Incorporates many of the provisions of the old employment agency law for regulation in cities of the first and second class in a state law which re-enacts the existing state regulations. Affidavits of three reputable citizens, instead of two in municipal law and none in state law, must accompany application for license and testity to applicant's good moral character. The secretary of labor is now directed to investigate applicant's character and responsibility, location and premises at which business will be conducted. If same is unsatisfactory, or if anyone protests issuance of license (latter already provided for) hearing must be held, as provided. Unfairness of proposed plan of business and previous non-compliance with employment agency law are added to existing grounds for refusal of license but provision for refusal for any good reason within the meaning of the law is omitted. Licenses are now divided into three classifications, and fees for licenses of each classification are $100, $100 and $200, instead of the flat $50 license fee in the old laws. Grounds for revokal of license are made specific, and if revoked, licenses will not be reissued for one year. For the first time special provisions are made for employment agents taking labor out of the state or sending contract laborers outside of the city, borough or town where agency's business is conducted. Agents must not send out any applicant for employment without having a bona fide order therefor. The secretary of labor, as provided in the existing state law, and instead of the director of the public safety department in the municipal law, is directed to enforce the act, and authorized to appoint inspectors, but his rule-making power is taken away. Inspectors must, as nearly as possible, visit each agency five times each month, instead of once in two months, as directed in the municipal law, and are given police power in first and second class cities. Theatrical managers and public employment bureaus are now exempted, but, together with non-fee charging agencies already excluded and foreign employment agents, must register annually with the department of labor. Agents are forbidden to induce employees to leave their employment or send out female applicants for employment without making a reasonable effort to investigate employer's character. Fine for operating without a license is much decreased, as is imprisonment penalty for first offense. For sending females to houses of ill-fame, fine is $100 to $1,000 plus prosecution costs, or imprisonment for not more than one year, or both. (No. 438.)

Texas.—Emigrant employment agents must pay, in lieu of any other occupation tax, an annual license tax of $5,000 for the use of the state and $2,500 for the use of each county in which such agent operates, and must also give a bond conditioning the payment of any valid debt to any state citizen. Penalty for non-compliance, to apply also to those having employees who have failed to comply with the law, is fine of $500 to $5,000 or imprisonment for from four months to one year, or both, each act of violation constituting a separate offense. Common carriers or steamship companies engaged in interstate commerce in transporting passengers and labor organizations notifying their members of employment needs in other states are excluded. This act is declared cumulative of every existing employment agency law and all said laws, where consistent, will apply to the provisions of this act. (C. 104, 1st Special Session.) C. 104, enacted at 1st Special Session, and

regulating emigrant employment agents, is repealed and re-enacted. Procedure for filing application is amplified. After occupation taxes have been paid each agent must pay to the labor commissioner an annual license fee of $10 to do business in any county named in said license. Fine for violation is reduced to not over $500 and imprisonment is lowered to not over six months. Upon demand, agents must furnish return transportation for laborers hired outside the state. Amount of bond is now specified, and must be in the sum of $5,000 and liable for debts incurred, but laborers may waive rights, as provided. When half of a bond becomes depleted, a new bond will be required. All records must be open for official inspection and licenses may be cancelled for failure to permit such inspection. Before cancelling licenses, hearings must be held, as provided, and right of appeal from such decision is given. Agents must file monthly reports and licenses will be cancelled for failure to do so. The act is made applicable to certain maritime agencies employing laborers beyond state limits; said agencies will be required to pay the annual license fee but not the occupation tax. This act is also declared cumulative of every existing employment agency law. (C. 96, 2nd Special Session.) Annual state occupation tax of $1,000 is required of each emigrant agent, and, in addition, a license tax of $100 to $300, according to population, will be required in each county in which said agent operates. (C. 11, 2nd Special Session.)

West Virginia.—For amended and re-enacted employment agency law, see p. 429.

2. PUBLIC EMPLOYMENT OFFICES

New York.—School authorities of each school district may maintain a guidance bureau, the responsibilities of which include the organization and conduct of an employment service for pupils. The state education department is directed to employ a supervisor of vocational and educational guidance to cooperate with local school authorities in developing an adequate program of vocational guidance. Appropriation, $5,000, for state education department. (C. 407.)

West Virginia.—The employment agency law is amended and re-enacted. The new law provides that the commissioner of labor must maintain in connection with the bureau of labor a state public employment bureau, and is authorized to advertise or use other methods he deems practicable to provide help for employers and employment for workers who have applied to the bureau. Employment agents are forbidden to knowingly make any false statement or to misrepresent any material matter in connection with any employment, to anyone seeking employment. Agents receiving any compensation for their services must first obtain a license from the state tax commissioner and annually pay a license tax of $200; employment bureaus that contract for laborers without the state or arrange for transporting laborers to points outside the state must pay $5,000. Licenses expire on June 30 following the date of issuance, are not transferable, and must be posted in the agent's place of business. Applicants for licenses must be citizens of the United States, must be fit to engage in the business, must not have had a license previously revoked

and must have suitable premises for conducting said business. The state tax commissioner must revoke any license if the employment agent has violated any of the provisions of this act. Records must be kept by employment agents of all men directed to employment and copies must be sent to the commissioner of labor monthly. Right of entry is given to the commissioner of labor or his duly authorized agent. Employment must not be furnished to a child in violation of the child labor or compulsory school attendance laws. Penalty for violation is a fine of from $100 to $500 for each offense, or imprisonment from 30 days to six months or both. The commissioner of labor shall prescribe necessary rules and regulations for the supervision of employment agents. Persons or associations employing labor for his, their or its business carried on in the state are exempted from the law. (C. 12.)

3. PUBLIC WORKS

Arizona.—Projects involving the expenditure of public funds are exempted from law requiring the employment of only citizens on public works. Maximum penalty for violation is lowered. (C. 85.) Declaration of intention to become a United States citizen no longer a basis for obtaining employment with the state, counties or muncipalities in case applicant is not yet a citizen. This constitutional amendment to be submitted to referendum at the next general election. (C. 105.)

Hawaii.—All county employees must be United States citizens and must have resided in the county in which they hold office for three months preceding appointment. Professional persons, under certain conditions, are exempted. (Act 39.) Public officials and employees must be residents of Hawaii for one year preceding appointment. Teachers in public high schools are exempted from this provision, and from already existing requirement of United States citizenship. Imprisonment or both fine and imprisonment are made new alternate penalties for employing a person in violation of law. (Act 103.)

Nevada.—Qualifications being equal, second choice in employing persons for public works is to go to citizens of the state, the first choice going, as already provided, to honorably discharged soldiers and sailors who are state citizens. (C. 60.)

Texas.—All persons teaching in public schools must be citizens of the United States. (C. 38.)

4. MISCELLANEOUS

Delaware.—The governor is authorized to appoint an employment bureau consisting of three persons to cooperate with the United States Employment Service and the city of Wilmington in order to relieve unemployment within the state, investigate and secure facts relating to employment and unemployment in general. State appropriations for maintenance of bureau, $2,500 per year, conditional upon a like appropriation and expenditure by the city of Wilmington. Annual report to governor of expenditures and activities is required. (C. 108.)

Indiana.—For increased employment commission appropriation, see p. 458.

Massachusetts.—The newly created industrial commission is directed to investigate the Massachusetts textile industry and best methods of alleviating distress caused by long periods of employment in that and other industries, and consider the question of providing unemployment insurance. A report to the legislature, with recommendations and drafts of necessary legislation, is required. Appropriation, $3,000. (C. 54.)

Porto Rico.—A joint legislative commission of seven is created to survey the causes of industrial and agricultural unrest; the number of industries operating in the island; living and working systems of laborers; raw materials; hours of labor, wages, health and safety; data relative to Porto Rican problems; the organization and operation of the bureau of labor, general employment agency, industrial commission and systems of workmen's accident compensation. The committee is declared a standing committee and is required to make a complete yearly report to the legislature and governor. Seven dollars will be paid each member for attendance at each meeting. Appropriation, $25,000, to have preference over all other appropriations. (J. R. 16, Special Session.)

Texas.—Any person is forbidden to go on the premises of any state citizen during the night and move or assist in moving any laborer without the consent of the owner or proprietor of said premises. Penalty for violation, fine of from $50 to $1,000 or imprisonment from ten days to six months, or both. (C. 189.) Definition of discrimination against persons seeking employment by corporations or their receivers is made more specific. Blacklisting of an ex-employee or in any way preventing him from obtaining other employment; refusal to furnish said ex-employee, upon demand, with copies of communications relative to him, sent to the person or corporation with which he is seeking employment; refusal to furnish to workers leaving employment, upon demand, with statements as to the conditions under which they have left; discrimination against anyone seeking employment because of participation in a strike, are all defined as discrimination by employers against labor. (C. 245.)

United States.—Provision is made in the decennial census, for inquiries on unemployment. (Public 13, 71st Congress, 2nd session.)

Safety and Health

1. PROHIBITION

(1) Exclusion of Persons

California.—Children under school age or over may not work at agricultural, horticultural, viticultural or domestic labor while public schools are in session. (C. 546.) Among provisions of a compulsory continuation school law is requirement that persons under eighteen years of age not attending a full-time day school, not graduates of a four year high school course and not disqualified for attendance because of physical or mental condition or services necessary to dependents, must attend special continuation classes for at least four hours per week during the school term. Minors who cannot give proof of regular employment must attend continuation classes at least three hours a

day during unemployment. Should a minor's interest suffer from attendance at a continuation class he may be exempted by the high school board of the high school district in which he resides, provided that the number of minors exempted does not exceed more than five per cent of the total number in the district subject to attendance. Work permits, to be the authorization of an employer to employ a minor, may be issued to minors enrolled in continuation school classes. Except in agricultural and home-making occupations minors must not be employed for a greater number of hours each day than will, when added to continuation school hours, equal eight. Penalty for non-compliance by anyone in charge of a minor is fine of $5 to $10 for the first offense or imprisonment for not over five days, and $10 to $50 for each subsequent offense or imprisonment for five to twenty-five days, or both. Penalty for employer's violation is a fine of $50 to $100 or imprisonment for not over sixty days, or both. (C. 187.) Vacation permits shall be issued by the superintendent of schools of city or city and county in which a minor resides. (C. 82.)

Illinois.—Minors must secure proof of age, prospective employer's statement, must complete eight, instead of six, years of public elementary school, and 130 school days during the year preceding application or between the thirteenth and fourteenth, instead of fourteenth and fifteenth, birthday, to receive an employment certificate or vacation work permit. Certificates of physical fitness must now state that the minor is of sound health and normal physical development. Vacation permits may be issued in the same manner as employment certificates, except that for children who are fourteen or over no proof of education is necessary. Employers who do not dismiss employees upon the expiration of a vacation certificate will be fined $10 to $50. Permits to work outside of school hours may be issued, as provided, to minors 14 to 16 years of age, for a period which when added to required school hours, shall not exceed eight between 7 A. M. and 7 P. M. Certificates of age may be issued to minors over sixteen years of age upon evidence of age. Minors over fourteen lawfully employed on July 1, 1929 may continue in employment without complying with educational requirements. (S. B. 244.)

Indiana.—Law regulating employment of minors is extended to cover golf caddies. (C. 76.)

Michigan.—Minors over fourteen may be employed during vacations in any occupation not prohibited nor injurious for minors between sixteen and eighteen. Exemption, under certain conditions, for males between sixteen and eighteen to engage in certain prohibited occupations is extended to females of the same age group. Factory inspectors are given the power to order installation of ventilating devices when necessary. (No. 102.)

Minnesota.—The industrial commission, through the division of women and children, instead of the mayor of a city or president of the council of a village, is authorized to issue permits allowing children between ten and sixteen to be employed in certain musical and dramatic performances not injurious to life, health, education or morals. The appearance of a child at certain religious or educational entertainments, or musical recitals before a neighborhood association of parents, when an admission fee is charged, is forbidden. (C. 234.)

Missouri.—Child labor law is repealed and re-enacted. All children under

fourteen are now forbidden to be employed in any gainful occupation regardless as to whether the school of the district in which the child resides is not in session, excepting children exempted by the old law. In addition to the hour limitations of old law, children under sixteen must not be employed for more than six days a week, with the same exemption plus industries employing less than six persons when schools are not in session. Work permits must be secured for children under sixteen, instead of for those under fourteen when schools are not in session. Application for such permits must be made in person and accompanied by papers, instead of affidavits, establishing the child's age, and also completion of the sixth school grade for those not mentally incapacitated, in addition to physicians' certificates formerly required; proof by parent or guardian of the need for a child's labor and that work is not dangerous no longer required. Commissioner of labor and industrial inspection is charged with the enforcement of all child labor laws and is given the right of entry and inspection. Violation will be deemed a misdemeanor but penalty for same is omitted. (S. B. 469.)

Nebraska.—In school districts other than city and metropolitan city school districts children between seven and sixteen years of age must, if the school term be seven, eight or nine months, attend for 130, 145 and 160 days a year respectively. (C. 87.)

Oklahoma.—Children under fifteen who are not residents of the state and are employed in licensed theatres or places of amusement are exempted from child labor law if a guardian or teacher remains on the stage during their performance. (C. 35.)

Oregon.—Law requiring compulsory attendance of children between six and eighteen at schools maintained by the United States, unless they are taught elsewhere or fulfill other requirements, is repealed. (C. 68.)

Pennsylvania.—Certain obsolete child labor laws are repealed. (No. 89.) Certain obsolete laws regulating employment in certain establishments are repealed. (No. 90.) Prosecutions for violations of law regulating employment of females will be instituted by the department of labor and industry instead of by the commissioner of that department or his deputy. Violators are now liable for costs. (No. 256.)

Texas.—Penalty for violation of child labor law can no longer be fine and imprisonment, but must be either. Wording of certain sections is simplified. (C. 180.)

Utah.—Law relating to school records for employed children is repealed. (C. 23.) In addition to existing reasons for exempting employed minors under eighteen from attendance at part-time schools, they may be excused if proper influences and opportunities for education are provided in connection with their employment. (C. 47.)

2. REGULATION

(1) Factories, Workshops and Mercantile Establishments

California.—Before operating an air pressure tank or steam boiler a permit must be secured and posted on or near the tank or boiler, each day of violation constituting a separate misdemeanor. If operation without a permit

constitutes a serious menace to those employed, a restraining injunction may be secured. Air pressure tanks and boilers under the jurisdiction or inspection of the Federal government, tanks used in household service, boilers not subject to the workmen's compensation act, boilers on which pressure does not exceed 15 pounds per square inch and those on automobiles or road motor vehicles, are exempted. Inspection of tanks and boilers included in law must be at least once every two years and one year respectively by qualified inspectors under the industrial accident commission, and necessary repairs may be ordered or a hearing held. Pending repairs, temporary permits may be issued. Fees, not exceeding $3 for each tank inspection and $5 apiece for each external and internal boiler inspection are to be paid into the commission. Inspectors must report each inspection within twenty-one days after it is made. (C. 180, C. 181.) Section added to foundries and metal shops sanitation law makes it the duty of every health officer to report violations to the district attorney, who must prosecute all violators. (C. 348.) Receptacles which are to be moved by women employees must be provided with pulleys or casters if they weigh 50 or more pounds, instead of 75. Female employees are forbidden to carry receptacles weighing ten pounds or more up or down a stairway higher than five feet. Penalty for violation changed to $500 or imprisonment for not exceeding sixty days, or both. Enforcement is to be by the department of industrial relations. (C. 768.)

Colorado.—School houses, theatres, moving picture houses and places of public assemblage are placed under the factory inspection law. (C. 95.)

Connecticut.—Re-enacted law now provides that certificates of inspection required before operating a bakery be valid for one year from July 1 to June 30 and that fee therefor, instead of being $1, be $1 in shops where not more than four bakers are engaged, $10 where not more than nine are engaged, and $25 where ten or more are engaged. (C. 298.)

Michigan.—Regulation of location of main suction or trunk pipes omitted in the law requiring fans or blowers. (No. 301.) For order to install ventilating devices, see p. 432.

Minnesota.—Motors approved as explosive-proof by the state fire marshal are exempted from requirements for location of motors in dry cleaning or dyeing establishments. In lieu of compliance with provisions for fire-prevention in dry cleaning and dyeing establishments said establishments, in cities of the fourth class, may install fire extinguishers, as provided. (C. 402.)

New York.—In buildings equipped with automatic sprinklers subdividing partitions of wood or wood and glass may be used in offices or show-rooms providing that when contiguous to any manufacturing rooms a dividing partition of incombustible material separate the two. (C. 296.)

Pennsylvania.—For non-payment of fine imposed for violating law protecting health of those engaged in bakeries imprisonment will be the alternate penalty. Prosecutions for violations may be instituted by the department of labor and industry, as provided. (No. 240.) Boiler law is repealed and re-enacted. Provisions are same as in elevator law except that boilers must be inspected once a year while in operation, and once while not in operation; fees

for inspection vary from $2 to $5; adequate exits and escape-ways must be provided. (No. 451.) Law regulating guarding of elevators in all cities except those of the first or second class is repealed and re-enacted. Elevators must be safely constructed and to this end the department of labor may make rules, regulations and specifications. Inspectors of the labor department must secure certificates of competency and inspect unisured elevators; insured elevators may be inspected by an employee of the insurance agency. Reports of each inspection are required and no elevator can operate without a certificate of operation and plans for erection or repair must be approved. Inspection fees range from $1 to $12. The department of labor is directed to enforce the act and may institute prosecutions. Penalty for violation is fine of not over $100 and costs or imprisonment for not over ten days for first offense, and fine of not over $200 and costs or imprisonment for not over thirty days for each subsequent offense. (No. 452.) Building safety law for cities not of the first or second class is strengthened in certain respects and inspectors are given the right of entry. (No. 453.)

Porto Rico.—Dressmaking establishments where only small and covered sewing machine motors are used are exempted from law requiring maintenance of emergency rooms and employment of a physician, and minor surgeon or nurse in workshops. (No. 37.)

West Virginia.—Safety law is amended to authorize the state commissioner of labor to adopt codes promulgated by the American society of mechanical engineers and approved by the federal department of labor relative to construction of scaffolding, hoists and temporary flooring of buildings two or more stories high, in the course of erection. All factories, mills or workshops employing five or more people must keep on hand necessary first aid equipment recommended by the bureau of labor and approved by the state health department. (C. 83.)

Washington.—Law amended to limit use of modern spark-arrester to only spark-emitting engine or boiler dangerously near inflammable material. (C. 172.)

Wisconsin.—All electrical apparatuses not free from explosion, fire and spark hazards are included among devices forbidden to be maintained inside any room used for cleaning and dyeing. (C. 67.) Law relating to specifications for electric wiring is repealed. (C. 274.) Electric wiring contractors must comply with the state electrical code and companies furnishing electric current must obtain proof of compliance before furnishing same. Penalty for violation is fine of $25 to $100 or imprisonment for from thirty days to six months. (C. 470.)

(2) Mines

Colorado.—Many changes in coal mine inspection law are made. "Safety lamp" is defined as an approved magnetically locked flame lamp, and each must be properly tested. Salaries of chief inspector and assistant clerk are raised to $2,100 and $1,800 respectively. Mines have to be inspected daily by the mine foreman, or his assistants, instead of the owner; mines in which five or less

men are employed are exempted. When work is done near an abandoned mine and approved electric head lamps are used, safety lamps must be used in conjunction with them; if open lights are used, only safety lamps must be allowed. Mine owners must endeavor to have first aid training carried out among at least 20 per cent of their employees. Provisions as to weighing of coal are applied to coal mined on a tonnage basis only. The check weighman is to be elected by secret ballot by mine owner and miners working on a tonnage basis, as provided. Black powder may only be used as specified and after all employees are out of the mine. Notice required of mine owners extended to cases of accident underground from mine fire or burning gases. (C. 68.)

Oklahoma.—Sections of coal mine law (subsequently repealed and re-enacted, see p. 436) insofar as it applies to lead, zinc and other metal mines are repealed and completely re-enacted in a separate law. Inspectors of said mines are directed to: examine all mine conditions, and, if they are unsafe, order their correction; thoroughly inspect all underground excavations; if shafts for ingress and egress are unsafe, withdraw workers until another shaft has been completed; direct the furnishing of sufficient ventilation if same is lacking and, if necessary, order the cessation of work until ventilation defects are corrected; ascertain injurious dust and order installation and use of water lines, as provided. Inspectors are given right of entry at reasonable times. Required qualifications and duties of hoisting engineers, hoisting speed and equipment, signaling methods, shaft collars, method of storing and shooting explosives, are specified. Operators of mines employing ten or more men must provide sanitary drinking devices, toilets and washing conveniences; give a copy to the district mine inspector annually of map or work-progress. All operators must: allow workers to come to the surface of the ground to eat meals and pay the cost therefore; immediately report loss of life or injury; not employ boys under 16, women and girls except as clerks above ground; not have longer than an eight-hour day, except in cases of emergency, which must be reported. Review of mining inspector's order is provided for. Penalty for failure to comply with mining inspector's orders is $500 fine, with certain exemptions. (C. 42.) Coal mining code is repealed and re-enacted, with the following important additions and changes. Certificates of competency from the state mining board are now required of the chief and district mine inspectors, mine foreman and anyone who handles men on slope or cage other than the rope rider, and no longer of the mine manager or pit boss; changes are made in contents and fees for certificates, and issuance of temporary certificates is provided for; exemption of lead, zinc and certain other mines from this section is no longer made. Chief mine inspector must be a United States citizen, at least 35 years of age, and fulfill other new requirements, but is no longer required not to be interested in any mine while in office; he must now annually transmit to the governor a synopsis of district mine inspectors' reports, keep a journal of inspections made, and is authorized to investigate various systems of mining. District mine inspectors' salaries are raised and they are directed to give special attention to dangerous mines; after examining each mine must make a report of conditions found, conspicuously posting same at mine; grounds for removal of district inspectors are

specified. Compensation of members of the state mining board is raised. Changes in counties included in the three state mining districts are made. Rock-dusting may now be substituted for sprinkling or spraying. Boys under sixteen, women and girls may be employed for office work only. Except in cases of emergency, eight hours will constitute a day's work. Changes are made in ventilation requirements, and certain specifications as to ventilating currents, timbers, and dimensions for stairs for ingress and egress, required in mines, are omitted. Use of ventilating furnaces are forbidden and men must be immediately withdrawn from mine in case of stoppage of fans or other danger. Provisions as to escape-ways and passage-ways are amplified and strengthened and regulations as to man-ways, safety catches and hoisting are enacted. In mines where inflammable or noxious gases are generated, provisions for inspection are strengthened, and electric lamps and a certain number of locked flame safety lamps are required for the first time, with a penalty imposed on employees for violation. Penalty for fire bosses who neglect to comply with law is provided and penalty for disregarding fire bosses' danger signals is raised. Changes are made in method of checking men in and out of mines. Openings for the ingress and egress of air are required and location of rooms and cross entries is regulated. Bath houses must be provided at all mines, not only when ten or more miners are employed; fine for failure to provide same is lowered. Telephone systems must also be installed in all mines; section requiring same is much condensed; fine for neglect in their use is lowered. Storage, issuance and distribution of explosives is regulated for the first time and delivery provisions are strengthened. Changes are made in method of firing shots. Section requiring maps of mines is elaborated, but limited to coal mines only. Surveys of mines must be made every twelve, instead of six, months. The chief mine inspector is directed to have analyses of ores, dust and noxious gases made. Terms used in act are defined for first time. Fine for violation of sections for which penalty is not otherwise provided is raised, but alternates of imprisonment, or both fine and imprisonment, are omitted. (C. 251, Special Session.)

Pennsylvania.—The mining of coal in any seam the entire distance to the property boundary line of an adjoining mine where workings extend to within 3,000 feet of said boundary line is prohibited, unless barrier pillars are left as provided. If mine superintendents agree that the boundary line is so located as not to endanger mines on either side, mining to the boundary line will be lawful, if required conditions are complied with. If act is not carried out, the Secretary of Mines will appoint a commission to investigate conditions. Required distance of bore holes in advance of face of working place perilously near a dangerous abandoned mine is increased. (No. 190.) In portions of a dusty mine where explosive gas is being generated rock dust may be substituted or used in conjunction with water in the manner specified. District mine inspectors may direct rock dusting or watering of mines, but operators may appeal from inspectors' decisions to the Secretary of Mines. (No. 254.) Owners or operators of coal mines or collieries must now provide telephones and approved gates, so far as practicable, for all landings of shafts. Men employed as footmen at hoisting shafts must provide themselves with approved

safety headgears or helmets and always wear same while on duty. Approved locked safety or electric lamps must now be used and inspected in each part of a mine in which danger is imminent from explosive gases. The mine foreman is directed, when he sees fit, to search men entering a dangerous mine for articles which may cause fire, and to examine working places every working day instead of every alternate day; if the mine is idle forty-eight hours or more, it must be examined the day before operations are resumed. (No. 264.) In dry and dusty mines, in addition to gaseous mines, incombustible material must be used for tamping. With the consent of the mine inspector cushion or air blasting will be permitted. (No. 390.)

West Virginia.—In addition to twenty-five inspectors already provided the the appointment of three inspectors at large is authorized. The permission of the chief of the department of mines, instead of the district mine inspector, is required before using open lamps or torches. In certain other mines, in addition to those already specified, only approved safety or electric lamps may be used. Mines where ventilation may be increased sufficiently to dispel or reduce the methane content below the mentioned percentage are exempted from provision requiring use of approved safety or electric lamps. In gaseous mines the chief of the department of mines may designate where flame-proof electric coal-cutting machines shall be used. (C. 16.) The salary of the chief of the department of mines is raised to $7,000 a year. (C. 17.)

Wyoming.—Law requiring shot-firers in coal mines is repealed and re-enacted. Operators must employ a sufficient number of certified shot-firers or certified mine officials to charge and tamp all holes for blasts and shots, or supervise the same. To receive certificates, shot-firers must be orally examined by the state mine inspector or his deputies, be United States citizens, and qualified for position. Certificates subject to revokal for non-compliance with law. Conditions under which shots are to be fired are specified. Only workmanlike, proper and practical shots may be fired. After a misfired shot entry in mine is forbidden until 16 hours have elapsed. Penalty for non-compliance with any section of act is fine of $100 to $200 or imprisonment for not more than three months, or both. (C. 34.) Law requiring shutting off of unused cross-cuts is applied to those between cross entries. Specifications for material and construction of wall used to shut off cross cuts are changed. Panel slopes or entries must not be driven more than 1,000 feet in advance of incombustible stoppings. (C. 28.)

(3) Transportation

Ohio.—The public utilities commission is authorized to promulgate and enforce all orders relating to the protection, welfare and safety of railroad employees. (S. B. 207.)

Vermont.—The jurisdiction of the public service commission is extended to the maintenance of proper washrooms and locker rooms for the use of railroad employees at terminals. In matters concerning the safety of trainmen the public service commission shall serve all processes or notices of hearings to the secretary of the brotherhood of railroad trainmen employed by the railroad at least ten days before the hearing. (No. 82.)

(4) Miscellaneous Industries

New Jersey.—Persons who have not previously worked in compressed air shall work therein but one shift during the first twenty-four hours. The number of hours to be worked when pressure is between 48 and 50 pounds is specified; and the minimum and maximum amount of pressure in relation to hours worked and rest intervals is lowered. Employers may determine time of shift when pressure is less than eighteen pounds, provided that total does not exceed eight hours. (C. 90.)

Social Insurance

1. INDUSTRIAL ACCIDENT INSURANCE

(1) Workmen's Compensation

a. *New Acts*

Arkansas.—Compensation law is enacted to cover employees of the State Highway Commission injured or killed in the course of employment. Important provisions include a seven-day waiting period, a monthly maximum of $100, minimum of $25. Total disability: 60 per cent of monthly wages for not to exceed 75 months, except for total blindness when $50 per month is paid for life. Schedule is provided for certain specified partial disabilities. Compensation for death: funeral benefits, $150, and in addition, 30 per cent of wages to widow with 10 per cent for each child, 15 per cent to each child when no widow survives, payments not to exceed 60 per cent of wages nor to continue for more than 75 months. Notice of injury and claim must be filed within 15 days and six months respectively. Total compensation is limited to $5,000. The act is administered by the State Highway Commission. Compensation is paid from the "Protection Fund" created by crediting to the fund one-quarter of one per cent of the wages of each employee. (Act 232.)

North Carolina.—Workmen's compensation law is enacted. The act is compulsory as to all public employments and elective as to all private employments in which five or more workers are engaged except agriculture and domestic service. Excluded are elected and appointed public employees, casual workers, railway employees, convicts, and persons selling agricultural products. Minors, lawfully or unlawfully employed are included. Occupational diseases are not covered. No compensation is payable in case of voluntary intent to injure, or intoxication. Compensation is reduced or increased ten per cent, as the case may be, for wilful violation of a safety statute by employer or employee. Notice of injury must be given immediately and claim filed within one year. Medical attention is limited to ten weeks subject to extension by the commission. Waiting period is seven days, retroactive after 28 days. Compensation for total disability: 60 per cent of wages, weekly maximum $18 and minimum $7, with a limit of 400 weeks and $6,000; for partial disability: 60 per cent of the loss of wage-earning capacity, same weekly limits, not to exceed 300 weeks and $6,000 and, for specified injuries, according to schedule; for death: burial expenses, $200, 60 per cent of wages

same weekly limits, not to exceed 350 weeks and $6,000. If no dependents survive, the commuted value of the full death benefit less burial expenses is paid to the personal representative of the deceased. Restrictive hernia provision is provided. Compensation to aliens is one-half the commuted value. Lump sum settlements and voluntary agreements, subject to the approval of the commission, are permitted. A commission of three full time members is created, the chairman to receive $4,500, other members $4,000, and a secretary whose salary is $3,600. In addition to other customary powers and duties, the commission is required to study and investigate accidents and is accorded right of entry. Disputes are settled after public hearing by a commissioner or referee and, upon application the full commission shall review the award, and its decision on questions of fact is final. Appeal to the courts on questions of law is provided. Every employer must insure in a stock or mutual company or he may self-insure. Insurance rates are subject to the approval of the commissioner of insurance. Administrative expenses are paid out of the state treasury, but a tax of two and one-half per cent of the amount of premiums received is assessed on every insurance carrier (including self-insurers) in lieu of all other taxes on such premiums. (C. 120.)

b. *Acts Supplementary to Existing Laws*

Alaska.—Law is repealed and re-enacted with no important change other than provision for loss of hearing. (C. 25.)

California.—Sections relating to insurance policies are amended. (C. 679.) Definition of employer is broadened. (C. 165, C. 249.) Commission's authority over representatives is extended. (C. 173.) Scope of state fund is broadened. (C. 174.) Additional penalty is provided against employer who wilfully fails to insure. (C. 254.) In second injury cases, employer is liable only for disability caused by the second injury but if 70 per cent or more of total permanent disability results, additional compensation is paid out of a "subsequent injuries fund" created by taxing death cases where no dependents survive. (C. 222.) Weekly maximum is raised from $20.83 to $25. (C. 255.)

Colorado.—Method of determining wage-earning capacity is revised. Limits on required medical attention are raised from 60 days and $200 to 4 months and $500. Weekly maximum is raised from $12 to $14. Limits on total amount of compensation payable are raised. Schedule is slightly revised. Commission is empowered to reopen certain cases under certain conditions. Provision is made for additional specified employees of commission. (C. 186.)

Connecticut.—Compensation for loss of arm is increased. Employee must prove, to be entitled to compensation for hernia, that inability to work followed the accident, within one week, instead of immediately. Due notice and hearing required before modification of an award can be made. (C. 242.) By separate enactment, physicians having knowledge of persons having certain enumerated occupational diseases must file report with state department of health. (C. 32.)

Delaware.—Section relating to exempted employments is amended. (C. 253.) By separate enactment, compensation is provided out of the funds, and under the direction of the State Highway Department for state highway

policemen permanently totally disabled or killed in the course of employment. (C. 254.)

Georgia.—Commission is empowered to require certain additional reports from employers. Insurance commissioner is authorized to make investigations and gather and publish statistics in respect to insurance rates.

Idaho.—Employment of airmen while engaged in navigation of aircraft is made elective. (C. 88.) Compensation for schedule losses to minors under 18 years of age shall be computed upon the basis of adult earning capacity. Notice of injury must be given within 60 days. Additional considerations are prescribed for the fixing of state insurance fund premiums. (C. 164.)

Illinois.—Additional method is provided for election. Minor addition is made to list of compulsory employments. Method of computing compensation to collateral heirs is revised. Compensation to children is increased in certain cases. Weekly maximum for disability is raised from $14 to $15 in case of an employee with no children, and from $19 to $20 in case of an employee with four or more children. Compensated "healing period" preceding scheduled disabilities is limited to 64 weeks. Schedule list is extended. Unpaid balance due for scheduled loss is to be paid certain dependents if employee dies from cause other than injury. Procedure in respect to lump sum settlements and payments from second injury fund is slightly revised. Provision requiring medical certificates in certain cases is extended. Specific duties are assigned to the secretary of the commission. Commission is authorized to destroy records after certain periods. Administration of continued cases and the correction of errors in computation is expedited. Provisions in respect to insurance policies are strengthened. (H. B. 525.) "Any totally blind person" is excluded from the definition of employee. (H. B. 270.)

Indiana.—Law is repealed and re-enacted. Important changes include: The state and political subdivisions and certain banking organizations are no longer required to insure. Compensation for loss of hearing is increased. Provision in respect to disfigurement is modified. Registration requirement of employers is removed. Inter-insurance exchanges are authorized. Provision for double compensation to illegally employed minors is removed. Minors illegally employed are now excluded by implication. (C. 172.)

Iowa.—Provision in respect to place of hearing is made more specific. (C. 46.) Limit on additional medical services when ordered by the commission is raised from $100 to $200. (C. 47.) Certain employers who have failed to secure the payment of compensation are required to furnish bond in the amount fixed by the industrial commissioner. An employer who fails to comply may be enjoined from further violation. (C. 48.)

Kansas.—Court appeals shall have precedence over other court actions. Provision is made for appeal from district court to supreme court, on questions of law. (C. 206.) For transference of administration from public service commission to newly created commission of labor and industry, the chairman of which shall have active charge of the compensation law administration, see p. 458.

Maine.—Law is revised. Important changes include provision for an augmented commission of three full-time commissioners with the commissioner of

labor and the commissioner of insurance members ex-officio. Salaries are increased and powers and duties extended. Methods of procedure are likewise improved. (C. 300.)

Maryland.—Commission may cancel policy of an employer insured with state fund who fails to file payroll report. (C. 425.) Musicians and bill posters added to list of hazardous employments. (C. 331.) Commission is empowered to formulate and enforce safety regulations. Commission is authorized to appoint a safety director and two inspectors who, in the performance of their duties together with the commission, shall have free access to places of employment. (C. 426.)

Massachusetts.—Under certain conditions the employee may engage his own physician to testify in his behalf at the expense of the insurer. (C. 242.) Additional provision is made for re-hearing in certain cases. (C. 246.) Provision in respect to third party actions is amended. (C. 326.)

Michigan.—Commission is authorized to revoke, after hearing, acceptance of any employer who fails to insure or who violates any provision of the act. Double compensation is paid to illegally employed minors under eighteen years instead of between sixteen and eighteen years of age. Provision is made for the payment of compensation to partial dependents under certain conditions. No proceeding to modify compensation may be brought unless compensation is paid to within fifteen days of the time such proceeding is commenced. (C. 113.) By separate enactment, the state administrative board is authorized to pay compensation out of the general fund of the state to any member of the national guard injured while in line of duty. (C. 93.)

Minnesota.—By separate enactment, insurance carriers composing the rating bureau are required to insure any risk which has been rejected by three members of the bureau, all members of the bureau to reinsure such risk collectively. (C. 237.) Ninety-day limit on medical care is removed. (C. 248.) Compensation to a minor is to be computed on the basis of the earning capacity of an adult in similar employment. (C. 250.) Alien dependents may, with the approval of the commission, designate a representative other than a consular official. (C. 251.) Provision in respect to sub-contractors is strengthened. (C. 252.) Lump sum commutations are to be calculated on a five instead of six per cent basis. (C. 400.)

Missouri.—Commission is specifically authorized to appoint not to exceed five referees, whose powers are prescribed, at an increased salary. (C. S. H. Bs. 114 and 294.) Appropriation to meet commission's expenses is increased $18,000. Appropriation for the attorney general to enforce the act is increased $12,000. (H. B. 793.)

Montana.—Board is authorized under certain conditions to order additional specialized medical treatment, to be paid from Industrial Accident Fund, not to exceed $300. Compensation for total disability and for schedule losses is revised to provide a sliding scale from 50 per cent to 66⅔ per cent of wages—for other partial disabilities, corresponding percentages of loss of wage earning capacity—with a weekly maximum ranging from $15 to $21 with specific limits on total amount. Waiting period is reduced from 14 to 7 days but only if employee has dependents. In hernia cases if employee elects to be operated

upon a special operating fee not to exceed $100 shall be paid. Provisions in respect to adjustment of amount of compensation are slightly revised. Time within which to file notice of injury is reduced from 60 to 30 days. Provision in respect to certified copies of official documents is extended. Continuing jurisdiction of board is limited in certain cases. Provision defining courts to which appeal may be taken is slightly revised. Compensation is revised in death cases to provide separate scales of computation for beneficiaries residing within and outside of the United States and for major and minor dependents. For each classification a sliding scale is provided, depending upon the number and classification of persons, ranging from 50 per cent to 66⅔ per cent of wages with weekly maxima from $15 to $21. Provision is made to insure the adequacy of medical facilities. (C. 177.)

Nebraska.—Provision defining the jurisdiction of courts in actions on appeal is revised. Application for lump sum settlement under certain conditions shall be made to district court. (C. 81.) Rights of employer and employee in third party actions are clarified. (C. 135.)

New Hampshire.—By separate enactment the governor and council are authorized to pay compensation to state employees injured under certain circumstances in the course of employment, the amount not to exceed that provided in the workmen's compensation act. (C. 140.)

New Jersey.—Service of notice is required before petition can be dismissed. (C. 66.)

New Mexico.—Law is repealed and re-enacted. Important changes include: State and political subdivisions are brought under the act. Road building and construction is added to list of extra-hazardous occupations. Notice of injury must be given within 30 days instead of two weeks. Weekly maximum and minimum for total disability is raised from $12 to $15, and from $6 to $8 respectively, payments to extend for 550 instead of 520 weeks. Funeral expenses are raised from $75 to $125. Weekly maximum on death benefits to widow is raised from $12 to $14. Per cent of wages in schedule cases is raised from 50 per cent to 55 per cent. Compensation for facial disfigurement is raised from $500 to $750. Waiting period is reduced from 10 to 7 days. Ten-day limit on medical attendance is removed and cash limit is raised from $150 to $350. (C. 113.)

New York.—Injuries from radium and x-rays in hospitals and laboratories are added to the occupational disease list. (C. 64.) The occupational disease list is again amended and four groups are added not including, however, radium and x-ray injuries. Chapter 64 (see above) is thereby superseded and apparently repealed. (C. 298.) Employees of hand laundries are brought under the law. (C. 564.) In case of loss of more than one member included in the schedule, separate awards for each loss shall be made, such awards to run consecutively. (C. 301.) In death cases, surviving children over eighteen who are dependent, blind or crippled are to receive the same share of compensation as children under eighteen. (C. 303.) Provision in respect to payment of funeral expenses is made more specific. (C. 299.) Persons engaged in voluntary service not under contract of hire are excluded from coverage. (C. 304.) The coverage section is again amended by excluding persons engaged

in a clerical, teaching or non-manual capacity in or for a religious, charitable or educational institution, a minister, priest or rabbi, or a member of a religious order. This amendment supersedes Chapter 304 (see above). (C. 702.) A contractor who has become liable for compensation through the failure of his sub-contractor to insure may recover against the sub-contractor and the amount is made a lien against any money due the sub-contractor. (C. 302.) A foreign insurance company is required to file a bond or prescribed securities to the amount of 25 per cent of the outstanding reserves for compensation losses upon policies for risks located in New York State. (C. 305.) The insurance law is amended to permit mutual employers' liability and workmen's compensation insurance companies to execute surety bonds covering compensation obligations or guaranteeing the performance of insurance contracts. (C. 295.)

North Dakota.—Compensation for certain schedule losses is increased. Schedule is amplified. Burial allowance is raised from $150 to $200. (C. 260.)

Ohio.—Three additional occupational diseases are made compensable. (S. B. 243.) Designation of referees and their powers and duties are extended. Penalties are provided for fraudulent representations and for causing money to be fraudulently disbursed. (S. B. 245.)

Oklahoma.—Appeals from the commission's decision to the Supreme Court will be invalid unless appellant guarantees by approved sureties to pay the award as finally determined. (C. 30.)

Oregon.—State of Oregon shall have no proprietary ownership of, nor right to reclaim prior contributions to, the industrial accident fund. (C. 172.) Commission is authorized to fix rate of contribution for maritime employment and, in respect to employer applicants who accordingly contribute to the accident fund, pay compensation from said fund to employees and their dependents of such employers as prescribed by the Longshoremen's and Harbor Workers' Compensation Act. (C. 120.) Contractors on public works shall execute usual penal bond with additional obligation to make all contributions to the industrial accident fund. (C. 136.) Payrolls and confidential reports of the commission are not to be open to public inspection. (C. 286.) Provisions in respect to the collection by employers of a portion of employees' wages for medical care are further safeguarded. (C. 316.)

Pennsylvania.—Act shall apply to accidents occurring to State employees outside the state if engaged on official business. New penalty is substituted against an employer who fails to insure. If a widow, other than a non-resident alien, remarries, her compensation shall continue for one-third of the remaining compensation period. (C. 361.) A subsequent amendment apparently supercedes the above extra-territoriality provision and provides that employees injured outside the state are covered if their duties required their absence from the state for not over ninety days when performing services for employers whose place of business is within the state. (C. 372.) Provision in respect to appeal is modified. (C. 173.) By separate enactment, the state fund is directed in certain cases to contribute toward losses of their insured incurred in actions at common law. (No. 358.)

Porto Rico.—The three per cent tax on insurance carriers to pay administrative expenses of the industrial commission is supplemented by a specified

percentage of assessments (referring apparently to the assessments levied on state fund insurers), to which is added 75 per cent of the two amounts which is paid out of the general funds. Workmen's Compensation Bureau is created (personnel not prescribed) to administer the state fund. Expenses of the bureau are to be paid by setting aside a specified percentage of the assessments levied. Salaries of the Industrial Board are increased. (No. 40.) Governor is authorized to borrow an additional $300,000 to meet the obligations of the Workmen's Relief Commission. (J. R. No. 2, Special Session.)

Rhode Island.—Section relating to compensation payments to state employees is amended. (C. 1397.)

South Dakota.—Elected or appointed officials of the state and any political subdivision are specifically excluded. Deputy sheriffs, constables, marshals, policemen and firemen are included. (C. 253.) Schedule is modified in minor particulars. (C. 254.)

Tennessee.—By separate enactment, the commissioner of highways and public works is authorized to pay compensation for injuries to employees working under his direction in amounts not to exceed those provided under the workmen's compensation law. (C. 46.)

Vermont.—Schedule is slightly revised. (No. 108.) Minor change is made in definition of employee. (No. 107.)

Washington.—By separate enactment, additional regulations are provided governing the collection and payment of monies for medical aid. (C. 136.) Schedule for loss of members is slightly altered. Aggravation of disability by a pre-existing disease shall be taken into consideration in determining the amount of compensation. Authority of department to make lump sum payments extended. Method of collecting defaulted payments is strengthened. Department is authorized to commission additional persons to rehear claims. (C. 132.)

West Virginia.—Governor is empowered to appoint new compensation commissioner whose bond is raised from $10,000 to $25,000. Provision empowering governor to remove commissioner on certain grounds repealed. Determination of rates of insurance premiums shall be predicated solely on West Virginia experience under the compensation act. Funeral expenses are to be paid only if death occurs within four years, instead of one year, and is preceded by total and continuous disability from date of accident. Continuous authority of commissioner over claims is limited. Any party in interest may in certain cases within ten days from the decision of the commissioner appeal for a hearing of evidence before the commissioner. Provision for appeal by claimant from the decision of the commissioner to a special commission is repealed. Provision in respect to interstate commerce exclusion is extended. (C. 71.)

Wisconsin.—Provision in respect to presumption of election is extended. Provision in respect to sub-contractors is extended. Definition of employee is slightly revised. Medical attendance is not to exceed the period for which indemnity is paid. Commission is authorized to permit employee to choose his own physician. Provision governing death benefits to partial dependents is revised. Method of giving notice of injury and form of notice are simplified. Provision is made for notice of hearing to persons outside the state. Provision

governing procedure on review of commission's award is altered. Insurance exemption order is voided if employer's financial statement is false. Procedure governing third party actions is made more specific. Total dependents are re-defined. Provision in respect to payments from special fund is revised. (C. 453.)

Wyoming.—Claim must be filed within five, instead of three, months after the accident. (C. 61.) List of extra-hazardous employments is extended. (C. 46.) Restrictive hernia provision is added. (C. 110.) Every employer who refuses to make premium payments and against whom an award for compensation has been made shall be personally liable to the state for the benefit of the workmen's compensation fund in a sum equal to the amount of the award. (C. 119.) Disfigurement is made compensable. (C. 64.) Death benefits to parents is increased. (C. 48.)

c. *Vocational Rehabilitation*

Connecticut.—Provisions of the federal civilian vocational rehabilitation act are accepted. A vocational rehabilitation division under the state board of education is established, and the board of education is directed to administer the act and cooperate with the workmen's compensation commission and the federal board of vocational education. For the fiscal year ending June 30, 1931, $5,000 is appropriated. (C. 201.)

Indiana.—For increased department of rehabilitation appropriation, see p. 458.

Maryland.—The federal vocational rehabilitation act is accepted. The state board of education is directed to cooperate with the federal board. State appropriation must not exceed $5,000 a year for 1929-30 and 1930-31 and $15,000 for any year thereafter. (C. 201.)

Texas.—Provisions of the federal vocational rehabilitation act are accepted and the state board for vocational education is directed to cooperate with the federal board. Federal appropriation of $44,296.50 is accepted in accordance with provisions of act. (C. 23, Special Session.)

United States.—Federal vocational rehabilitation act is accepted for the District of Columbia. The United States Public Health Service is directed to cooperate with the Federal Board for Vocational Education in carrying out provisions of act. Federal Board for Vocational Education and United States' Employees' Compensation Commission are directed to formulate a plan of cooperation for the vocational rehabilitation of civil employees of the United States disabled while in the performance of duty and who reside in the United States. An appropriation of $15,000 out of District of Columbia funds is authorized. (Public 801, 70th Congress, 2nd session.)

d. *Commissions*

Oregon.—Governor is authorized to appoint committee of nine members to study the needs of the compensation law and to report desirable amendments to the governor, members of said committee to serve without pay but are to receive necessary travelling and other expenses. (S. J. R. No. 10.)

2. OLD AGE PENSIONS

Alaska.—A teachers' retirement system is established. Teachers who have reached the age of fifty-five, have taught for at least twenty-five years, fifteen of which have been in Alaska, will receive $800 a year. Teachers who have taught in Alaska for ten years and have become totally or permanently disabled while so engaged or within two years thereafter will be pensioned as provided. Contributions of one per cent of wages must be paid to the teachers' pension fund, over which the Territorial Treasurer is given control. Appropriation for initial establishment, $3,000. (C. 83.)

Arizona.—A board of trustees of the firemen's relief and pension fund is created in each city or town to administer said funds. Department members who have served for twenty years or more and regular members disabled due to performance of duties may be retired on one-half of the salary received at time of retirement. Disabled volunteers will receive $25 to $60 a month. In case of death, the decedent's dependents will be paid the pension, as provided. Provision is made for medical care. Appropriation from an annual tax. Minimum for retirement allowances, $25. (C. 86.)

Arkansas.—In cities with a population of at least 50,000 inhabitants a policeman's pension and relief fund is created, the funds of which will be mostly raised by taxation. A board of five trustees will administer the fund. Members permanently disabled while in the performance of duty will be retired on half-pay, said pension not to exceed $1,000 a year. In case of a member's death while in service, provision is made for the payment of benefits to dependents and of a $100 funeral benefit. Members who have served for 20 years or more will be retired, but amount of benefit is not specified. (Act 126.)

California.—Congress is requested to re-enact the Dale-Lehlbach bill and the President is requested to sign it. (S. J. R. 9.) A statewide old age pension law is enacted providing for the payment of a pension—which when added to income from all other sources shall not exceed $1 a day—to each qualified applicant who has attained the age of 70 years, has been a citizen of the United States for at least fifteen years, and whose property does not exceed $3,000 in value. Aid will be given in the applicant's or some suitable home, in preference to placement in an institution. A division of state aid to the aged is created in the state department of social welfare to supervise and pass upon measures taken by county or city and county boards of supervisors. Said boards must act upon applications for aid, provide funds and perform all other necessary local administrative acts. The state division will be administered by a chief responsible for the determination and supervision of state aid who, with the approval of the director of social welfare, may appoint an advisory board of citizens in each county and city and county. Where a similar board is already in existence, it will be appointed as the advisory board. Claims for state aid must be presented by respective counties and city and counties semi-annually and when approved by the state comptroller and department of social welfare, a sum equal to one-half the total amount of payments made will be paid to the county or city and county treasurer. Penalty for fraudulent attempt to obtain a pension or other viola-

tion is fine of not over $500 or imprisonment for not more than six months, or both. State appropriation, not over $180 per annum for each pensioned person and $20,000 for expenses of the state department of social welfare in administering the act during the 81 and 82 fiscal years. (C. 530.) Service of certain teachers, librarians and other employees eligible to retirement salaries to be equivalent to service of teachers under legal certificate. (C. 887.) Constitutional amendment is proposed for submission to the November, 1930, general election giving the legislature power to pay retirement salaries to qualified state employees, as provided by the legislature. (C. 87.)

Colorado.—A burial benefit of $100 will be paid upon the death of any active volunteer fireman. (C. 97.) Tax to be levied for teachers' retirement fund is raised. (C. 163.) In school districts of the first class having a population of 30,000 or more where teachers' retirement fund exists, the board of education is authorized to pay from the fund, to any retired employee of the district, like sums as are paid to retired teachers. (C. 168.)

Connecticut.—Benefits from the state firemen's relief fund must not exceed the yearly amount appropriated by the legislature, instead of $13,000. (C. 37.) Teachers' retirement law is amended. Members who have reached the age of sixty must now complete twenty years of public school service within the state to be entitled to retirement allowances. Pensions for permanent disability must not exceed pensions for provisions other than disability and, in addition to existing requirements, are contingent upon five annual assessments into the annuity fund. The total yearly pension of members who have served twenty years or more and have paid five annual assessments into the annuity fund is raised to $350. Manner of receiving service credit upon entering the retirement system is specified. (C. 183.)

Hawaii.—Pension benefits for dependents of deceased policeman, fireman or bandsman are raised. (Act 9.) Method of retaining out of tax monies an amount for the employees' retirement system is made more specific. (Act 182.)

Idaho.—Law creating a state teachers' retirement fund is repealed. All funds now in the fund shall be paid to contributors upon the filing of approved claims, the residuum to be transferred to the state general fund. (C. 121.)

Indiana.—Town trustees and city or town treasurers must issue to teachers from whose salaries deductions for the state teachers' retirement fund have been made receipts for same, to be evidence that such teacher has credit from the fund for payment of the amount named in the receipt. (C. 102.)

Illinois.—Police pension funds in cities or villages of 5,000 to 200,000 inhabitants may be invested in tax anticipation warrants of the United States. (H. B. 30.) In cities of over 200,000 inhabitants the retirement board of the policemen's annuity fund may employ a licensed attorney. Meaning of certain terms are defined and clarified. Future entrants into the police service may in certain cases make voluntary contributions if their accumulated salary deductions are not sufficient to purchase annuities. Method of refunding is clarified and changed. Conditions under which compensation annuities cannot be paid are specified. (H. B. 129.) In cities of over 200,000 inhabitants monthly benefits for children of certain deceased firemen, amounting to $10 per child while the mother is living and $15 if she is dead, is extended to all

children under 18 years, whether they attend school or not. (S. B. 482.) Tax in said cities for firemen's pension fund is raised for the next three years and no back pensions shall be paid to dependents of deceased firemen for more than one year preceding the filing of application for same. (H. B. 235.) Superintendents of schools and members of the board of examiners may voluntarily retire and will be eligible to teachers' retirement annuities if they have served within the twenty years preceding retirement. Annual annuities of $1,500 will no longer be paid to those seventy years of age and over. (S. B. 449.) The custodian of the park policeman's annuity fund need no longer be appointed from the treasurers of the park boards. (H. B. 668.) Cities or villages may ordain that in the case of injury or death of a policeman or fireman while on duty proper medical care may be provided for which expense may be incurred, to be paid for by the city, village, or a corporation if liable. (H. B. 692.) A commission of five is created to investigate the advisability of establishing a state employees' benefit and annuity fund and report to the next regular session of the legislature. (H. B. 804.)

Kansas.—A police relief and pension fund is created in cities of the first class with a population of 50,000 to 75,000 inhabitants. In addition to monies from other specified sources, the fund will consist of $1 of each member's monthly pay and money received from a municipal tax to be levied until $50,000 is collected. Members who have served for twenty years or more and are fifty years of age or over are entitled to pensions equal to half their salaries at time of retirement, provided that the rank at time of retirement has been held for at least one year and that no officer be retired on less than $50 monthly, the widow of said officer to receive $40 per month. Members who have become physically disabled due to their work will draw regular salaries for not over three months. In case of permanent disability, pensions of $50 per month will be paid. (C. 119.) Uses of firemen's relief fund in incorporated cities may be extended to the purchase of life insurance upon the members of fire departments. (C. 201.)

Maine.—Annual pensions for teachers are raised to $500 for those who have taught for thirty-five years, to $375 for those who have taught for thirty years, and to $275 for those who have taught for twenty-five years. (C. 127.) Teachers who began teaching after July 1, 1924, and are therefore ineligible to pensions, and have taught under contract with the state for six years, are required to contribute to the retirement foundation. (C. 135, C. 136.) The state commissioner of education is authorized, after due investigation, to pension teachers who have become totally disabled, have reached the age of fifty and have no other means of support, such pension being determined by length of service. (C. 143.)

Maryland.—Retirement system for court clerks is established. (C. 351.)

Massachusetts.—Dependent fathers or mothers of deceased firemen will receive annuities not over $1,000 if the decedent's widow or child does not survive. (C. 308.) Members of teachers' annuity fund are not required to pay further assessments when their total number of assessments are sufficient, with interest, to purchase an annuity of $650, instead of $500, at the age of sixty. Amount of pensions is limited. (C. 365.) Certain minimum retirement

allowances under the state retirement system are fixed at $480. (C. 367.) Maximum basis for certain deposits in the annuity fund of the state retirement system is raised. (C. 366.)

Michigan.—A contributory teachers' retirement fund board is created. Money and property belonging to the retirement fund created in 1915 will be transferred to this fund. The board's powers include the payment of teachers' annuities, making of necessary rules, prescribing the manner and payment of contributions and annuities. Teachers who have attained the age of sixty, have taught for thirty years and fifteen years in the state, will be entitled to annuities, between $300 and $500, equal to one-half the average annual salary received during the last five years of service. Annuities for teachers who are sixty years old and have taught for twenty-five years and fifteen years in the state, and for those who have taught fifteen years or more and are physically or mentally incapable of teaching are provided for. Those who have not contributed one hundred per cent of their annuities for one year are disbarred from benefits. The law will not apply to school districts where such laws are already in effect. (No. 5.) In cities of more than 250,000 population, repayment of one-half of retirement fund contribution to certain teachers is extended to cases of death, when the estate shall receive the benefit. (No. 138.) The commission appointed to study the teachers' retirement fund is directed to report to the governor. Members are to serve without compensation. Appropriation, for expenses, $3,000. (No. 143.)

Minnesota.—Any county in the state is authorized to establish a system of old age pensions, upon the majority vote of the legal voters at any election, said referendum to occur after the county board has by a majority vote decided to submit the proposition. After one or more years of operation the system may be abandoned by a majority vote of the county board. Pensions must not exceed, when added to the applicant's income, $1 a day. Applicants, in addition to other specified requirements, must be seventy years of age or over, citizens of the United States for at least fifteen years and have property worth not over $3,000. Applications must be made to the district judge of the county in which the applicant resides. Said judge will make any necessary investigation, fix the amount of pension, if any, and administer the law. Any person who misrepresents in the attempt to obtain or help to obtain a pension will be considered guilty of a misdemeanor. Each county board must annually appropriate a sum sufficient to carry out the provisions of the law, and each city, town and village must by the annual levy of a tax, reimburse the county for all pensions paid to its residents, provided that the length of residence is at least five years. In counties operating under a system of caring for the poor, all pensions will be paid out of the revenue fund. The board of county commissioners shall from time to time prescribe and promulgate rules and regulations to efficiently carry out the act. (C. 47.) A compulsory state employees' retirement association is established. Management is vested in the state employees' retirement board, which may from time to time establish rules and regulations for administration, provided that no increase is made in the amount to be deducted and no decrease in the amount of benefits to be paid. The retirement fund will include deductions of three and one-half per cent of

members' salaries. Members who have contributed an amount equal to five years' accumulated deductions are eligible to retirement on 50 per centum of their average salary, said amount not to exceed $150 a month, when they have attained the age of sixty-five and have served the state for twenty years, or have served for thirty-five years. Those who have served for five years or more, are under the superannuated retirement age and suffer total disability as defined in the workmen's compensation act, are entitled to full retirement annuities in addition to any benefits accruing under the workmen's compensation act. If permanent partial disability is suffered, members are entitled to a partial retirement annuity. If a member dies without having received the total amount of his or her accumulated deductions, the same shall be paid in one lump sum to the designated beneficiary. If a member leaves the state service, he or she shall be paid, upon demand, the full amount of accumulated deductions standing to his or her credit. (C. 191.) In any city having a population of 50,000 or more operating under a home rule charter, pensions for disabled or retired employees of the department of health who have reached the age of fifty or more and have served the department for twenty years, or have been so disabled while in the department's employ as to render retirement necessary, are raised to from $70 to $75 a month and must be equal to one-half the member's monthly salary at date of retirement. Removal from the state is no longer a disqualification for receiving a pension. In addition to existing sources, the pension fund is to be derived from deductions of members' monthly pay. (C. 224.) Cities of the fourth class having property of an assessed valuation of more than $4,000,000 may, at the discretion of its governing body, levy a tax to provide for the pensioning of all police officers retired or honorably discharged after attaining the age of sixty-five and twenty-five years of service. Pensions must not exceed 40 per centum of salary at time of retirement and $600 a year, and must not be paid to any dependent after an officer's death. (C. 278.) Law amended to provide for the annual levy of three-fifths of a mill tax in cities where the personnel of the police department numbers between 250 and 400 for the police pension fund. (C. 311.)

Missouri.—In all cities with a population of 500,000 or more police pension systems are established, membership in which will be a requirement of employment. Administration is vested in a board of seven trustees. An actuary shall be the board's technical advisor in the operation of funds. Provision is made for service, ordinary disability, and accidental disability retirement, ordinary and accidental death benefits. Pensions will be offset by workmen's compensation benefits. Management and method of financing funds is specified. Anyone misrepresenting will be guilty of a misdemeanor and will be punishable therefor. (H. B. 392.)

Montana.—Section of firemen's pension law dealing with administration is amended. (C. 137.)

Nebraska.—Teachers with 40 years' experience must now attain the age of sixty-five to be retired. (C. 95.)

New Jersey.—Corporations with a plan for the payment of old age pensions, disability, unemployment or other aids for the relief of employees, may create one or more separate trust funds for administering such plan. (C. 5.) Physical

examination is required for applicants for membership in retirement system for certain municipal employees in cities of the first class. (C. 95.) Employees or officers of villages in counties of the first class who have served for fifteen years and have attained the age of seventy may be retired for incapacity incurred during employment. When disability is permanent, pensions not to exceed one-half of the annual salary at time of retirement will be paid. Transient labor, members of police or fire departments or those already entitled to pensions are excluded. Necessary funds will be raised by taxation. (C. 97.) The establishment of a retirement fund and board to manage same for certain employees of the boards of education in first class counties is provided for. Contributions will be made by employees and school boards. Employees who who have served thirty years or more and those who have served for twenty-five years and have become incapacitated through the performance of their duties shall be retired on one-half the average annual salary received during the five years preceding retirement. Those who have attained the age of sixty and have served less than thirty years will receive one-sixtieth of the average annual salary received during the five years preceding retirement multiplied by the number of years actually served. (C. 112.) In all counties of the first class county employees who have served for twenty years, and attained the age of sixty or have been permanently disabled by injury or sickness incurred in service will be retired on a pension equal to one-half of the annual salary at time of retirement. Payment of pensions to dependents of deceased members is regulated. The fund will include deductions of three per cent from each salary (not compulsory) and an equal amount raised by the board of chosen freeholders in the county budget. All county employees are included except temporary laborers, members of police or fire departments or boards of health, and those already entitled to pensions. Pension commissions are created to administer the law. (C. 122.) Law providing for retirement of police officers is limited to counties with a population of 200,000 to 400,000, instead of with a population in excess of 200,000. (C. 208.) Payment of pension to dependents of deceased pension fund member transferred to membership in another fund is provided for. (C. 292.) In cities of the first class the retirement of librarians, who have been in office for twenty-five years and have attained the age of seventy on a pension of not less than one-half of their salary, is provided for. Provision for pensions to be made in appropriations from tax levy. (C. 234.)

New York.—Amendment to retirement law for public employees includes provision removing time limit within which members may retire after leaving the state service and substituting the requirement that members attain the age of sixty or over while in service. (C. 421.) A temporary state legislative commission of nine members and the president of the Senate and speaker of the Assembly is created to investigate the condition of the aged and report to the Legislature by February 15, 1930, on the most efficient method of providing against old age dependency, with a draft of legislation embodying proposed recommendations. Members of the commission will receive no compensation but $25,000 is appropriated for expenses. (C. 664.)

North Dakota.—The governor is directed to appoint a commission to inves-

tigate the teachers' insurance and retirement fund and report to the governor by November 1, 1930. (C. 209.)

Ohio.—Manner of computing average earnings of volunteer firemen under firemen's indemnity fund is specified. (H. B. 57.) Changes are made in the personnel of the board of trustees of the firemen's pension fund and of the police relief fund and in the manner of their election. A majority of the board, instead of the director of public safety or fire chief for the firemen's fund, and the director of public safety or marshal for the policemen's fund, must approve all rules and regulations. (S. B. 79, S. B. 80.) Law relating to pension funds for custodians of public schools is amended. (S. B. 92.)

Oregon.—Certain teachers over 44 years of age are excluded from retirement benefits. If the reserve accumulated by teachers' retirement associations to meet specified requirements is inadequate members' schedules of dues will no longer be increased or pensions decreased, but tax money will be paid to such association so that members can be retired as provided. (C. 48.)

Pennsylvania.—Pension law for employees of counties of the second class is amended. (No. 101, No. 447.) Establishment of municipal police pension funds is made compulsory. (No. 444.) Slight changes are made in the teachers' retirement law. (No. 369, No. 565, No. 566, No. 569.)

Porto Rico.—Teachers are required to contribute three per cent of their salaries, instead of a graduated amount, to the pension fund. In order to receive one-half the total sum of contributions teachers who resign after having contributed for five years must have done so before being entitled to a pension. The secretary of the pension board will receive not more than $360 compensation per year. (No. 23.) Police pension law is amended to authorize the payment of a monthly benefit to 50 per cent of the amount received at time of retirement to those pensioned on account of physical disability after having served twenty years or more, and payment of a monthly sum, equal to pay received when retired, to members who are sixty years of age and have served for thirty years. (No. 30.)

Rhode Island.—Benefit for widows and minor children of a fireman killed on duty or dead within sixty days from injuries received is raised. (C. 1328.)

South Dakota.—Firemen's relief and pension funds are established in all cities with a population of 15,000 or more, instead of 25,000 or more. (C. 189.)

Utah.—Boards of county commissioners are given the power to provide county funds to carry out an old age pension law and to grant monthly pensions in such amount as they may determine, not over $25, to qualified applicants 65 years of age incapacitated for work who have resided in the county for five years immediately preceding application, have been citizens of the United States for 15 years and have not a yearly income exceeding $300. After a hearing the board may grant or deny a pension for one year. The board may order pension renewals before the expiration of one year, in increased or decreased amounts. Pensions may be reduced or cancelled if the recipient becomes possessed of income or property in excess of that owned at date of application or if a relative legally responsible for his support becomes able to support him. Funeral expenses not to exceed $100 may be paid when necessary. Pensions are not assignable. A pension will be cancelled for one year for

misrepresentation in order to obtain one. If a recipient is incapable of caring for himself the pension may be paid to a person designated by the board for the use of the pensioner. (C. 76.) Upon the death of any retired fireman, the surviving wife will receive, until marriage, a monthly pension equal to one-half of the pension received by the fireman at the time of his death and $6 per month for each child under eighteen. If the wife dies before the children are eighteen the latter will receive a benefit not to exceed the sum paid to the wife plus $6 per month for each child. If a fireman dies from the performance of his duties the surviving wife and children under eighteen will now receive such sum as would be payable for death under the compensation act and pension payments may commence when compensation awards cease. If the wife remarries, the children under eighteen will receive such sum as would be payable in death cases under the compensation act. (C. 39.)

Vermont.—Teachers' retirement law is amended to permit the granting of allowances not over $200 to teachers when one-half of their average annual salary is less than $200. Members whose dues are in arrears for two years or more may be dropped from membership at the discretion of the retirement board. (No. 34.) The teachers' retirement board is empowered to grant and determine the annuity, not over one-half an average salary, to be paid to a teacher who has taught for twenty-five or more years in the state and has retired by reason of age or infirmity. Appropriation, $4,000 for the biennial period beginning July 1, 1929. (No. 35.) A municipal corporation with a population of at least 5,000 may adopt a pension system for employees in its employ for at least twenty-five years. (No. 61.)

Washington.—Children of deceased firemen unable to work and without any means of support are eligible to pensions. Length of service, instead of old age, is made the basis for eligibility to pension except, as already provided, in case of disability or other cause. Pension for specified dependents of members who have served for fifteen years and died from natural causes is raised. Members permanently disabled while not on duty and employed from one to fifteen years shall receive their contributions plus interest; similarly disabled members who have served for over fifteen years shall receive one-third the salary at the time of disability, both pensions to be discontinued when disability ceases. In case of resignation only those who have served for twenty years or been disabled while on duty are eligible to pensions. Fee for members is raised to four per cent of monthly salaries. Provision in certain cases of illness for benefits is dropped. (C. 86.) In cities of the first class amount of money from certain sources to be paid into police pension funds is raised. (C. 101.)

West Virginia.—Judges of the supreme court of appeals who have served for twelve or more consecutive years and are sixty-five years of age or over may retire, receiving for the remainder of their lives $6,000 per annum. (C. I.)

Wisconsin.—Amendments to old age pension law provide that two-thirds vote of the county elected board be no longer necessary to adopt an old age pension system; in each county the county judge will administer the system under the supervision of the state board of control, which supervision was already provided for. The county board is authorized to reduce at any time or discontinue old age allowances. (C. 181.) A standing committee is created

to study and report to the next regular legislative session on a plan of retirement for state employees. Appropriation, $1,000. (C. 326.) Proposals for police and firemen's pension funds must be submitted to referendum. (C. 130.) When the amount in the police and firemen's pension fund reaches $150,000, instead of $50,000, it will be retained as a permanent fund. (C. 166.) Public school teachers employed in territories annexed to cities which have teachers' retirement systems will be eligible to pensions. (C. 265.) To be retired a teacher must now serve in the public school of a city for at least fifteen years. (C. 266.)

Wyoming.—In each county an old age pension board is established to administer the old age pension act and make necessary rules and regulations. Every qualified person who has attained the age of sixty-five, has been a United States citizen for at least fifteen years, fulfills the requirement for residence in the state and in the county in which application is made, and whose income does not exceed $360 per year, will be eligible to a pension the amount of which will be fixed by the old age pension commission and will not exceed $30 per month. Old age pensions certificates will be required each subsequent year after granting. Upon the death of a recipient of a pension, installments then accruing, and necessary funeral expenses, not to exceed $100, will be paid to the person directed by the old age pension commission, if the decedent's estate is insufficient to defray expenses. Provision is made for continuance of pension in case the recipient moves from one county to another. Penalty for fraudulently obtaining or aiding someone to obtain a pension is fine not to exceed $500 or imprisonment for not longer than six months, or both. Funds for the pension payments and administration shall be furnished by the respective counties from poor funds but during any one calendar year money spent for old age pensions must not exceed an amount represented by a levy of one-quarter mill on the total assessed valuation of property within a county. The old age pension commission is directed to report annually to the state auditor. (C. 87.)

United States.—If an employee otherwise eligible for continuance has been retained beyond retirement age without prior authority, the civil service commission may authorize his further continuance, within the limits already prescribed, if satisfied that the retention was not due to any attempt by the employee to deceive. (Public 779, 70th Congress, 2nd session.)

3. HEALTH INSURANCE AND GENERAL SOCIAL INSURANCE.

(1) Maternity

Arkansas.—The enactment by Congress of the Newton Bill, for better protection of rural and maternity health is urged. (S. J. Memorial 2.)

Delaware.—Mothers' pensions will be granted to widowed or abandoned mothers with children under sixteen, instead of under fourteen. (C. 251.)

Florida.—Mothers' aid law is repealed and re-enacted with no important changes. State residence requirement for mothers' aid is increased to two years. School attendance is now required if children are of school age and physically and mentally qualified. (C. 13759.)

Illinois.—The sum of $500,000 is appropriated to the Department of Public

Welfare to be paid to counties giving aid to mothers and children, no payment to any county to exceed one-half of the county's expenditure for said purpose. (H. B. 261.)

Iowa.—Tax for mothers' aid is extended to counties with a population of 80,000 or more, instead of $140,000. (C. 92.)

Maine.—The state treasurer, instead of towns, must pay for mothers' aid. The state board of mothers' aid is authorized to recover one-half the amount so expended from the town in which the mother aided has legal settlement. (C. 204.)

Michigan.—Residence in a county for one year prior to making application made a qualification for mothers' pension. (No. 33.)

Minnesota.—The possession of no more than $500 shall not be a bar to a mother's pension if all but $100 thereof is deposited in trust and the income therefrom is used in lieu of an equivalent amount of the allowance ordered by the court. (C. 101.)

New Hampshire.—Allowances for mothers with dependent children are raised. (C. 145.)

Nevada.—Pensions for mothers maintaining more than three children must not exceed $75, instead of $55. (C. 42.) The act accepting the provisions of the Sheppard-Towner maternity act, and creating an agency to cooperate with the children's bureau in carrying out its provisions is repealed. (C. 121.)

Oregon.—Maximum womens' aid allowances are raised to $20 a month for one child and $16 for each additional child. Aid is extended to mothers of adopted children, as provided. Value of property owned by applicant which will disqualify receival of aid is redefined as a value disproportionate to actual needs of the family. (C. 45.)

Pennsylvania.—Basis of distribution of mothers' aid among counties is changed and appropriation is decreased. (No. 367.)

Wisconsin.—The benefits of any maternity or infancy welfare act, offered by the United States or any department thereof under conditions which can be fulfilled, are accepted. (C. 141.) Sections of children's code are repealed, re-enacted, amended or created. Mothers' aid may now be granted to a woman other than the mother or stepmother caring for a dependent child, as provided. Provision is made for aid to children whose county residence has been changed. Time requirements for aid in certain cases are specified. Amount of aid to be granted is based on actual need of each family. (C. 439.)

(2) Miscellaneous

California.—Group life insurance law amended. (C. 245.)

Colorado.—Term "employer" in group life insurance law shall include political subdivisions of the state, which may take out group life insurance for its employees. (C. 110.)

Iowa.—Labor organizations and teachers' associations are authorized to issue group life insurance on their members. (C. 221.)

Michigan.—Group life insurance covering employees, members of the national guard, and of labor unions and state associations of teachers and postal clerks is authorized. (No. 154.)

New York.—The insurance law is amended to permit labor unions to insure members who are temporarily out of work, or irregularly employed on account of age. (C. 292.)

Pennsylvania.—Group life insurance covering employees, and members of the national guard, state police and labor unions is authorized. (No. 336.)

Wisconsin.—Group life insurance covering employees and members of labor unions is authorized. (C. 317.) Group insurance for county employees is authorized in certain counties. (C. 372.)

Administration

Alaska.—A law prescribing rules and regulations for the conduct of territorial offices and payment of employees is enacted. (C. 68.)

Arkansas.—Salaries of boiler inspectors are raised. (Act 303.) Commissioner and deputy commissioner of labors' salaries are raised. One woman clerk to act as supervisor of child labor and laws relating to employment of women and one statistician, are specifically provided for in authorized appropriations. (Act. 342.)

Arizona.—Salary of state mine inspector is raised to $4,500. (C. 5.)

California.—Employers must maintain at establishments in which women or minors are employed yearly payroll records of hours and wages, to be kept in accordance with rules established by the industrial accident commission. Anyone hindering a member of the commission from securing this information will be guilty of a misdemeanor. For the purposes of the act, the age of a minor is raised to twenty-one years, but this does not authorize the commission to fix minimum wages or maximum hours for male minors between eighteen and twenty-one years. The commission may publish reports and bulletins from time to time, instead of biennially. (C. 256.) Employers are required to keep an accurate record of the names and hours worked by all female employees, the same to be accessible to the chief of the division of labor statistics and law enforcement, his deputies and agents. (C. 266.) Amendment to law creating the state mining bureau and regulating mining operations defines "mine" as "mineral bearing properties of whatever kind" and "mineral" as "all mineral products" and waters. Last date for filing mine reports changed to June 30th. (C. 280.)

Delaware.—Children's bureau appropriation is greatly increased. (C. 204.)

Illinois.—A mining investigation commission consisting of three coal mine owners, three coal miners and three impartial and qualified men, all appointed by the governor, is created to investigate methods and conditions of mining within the state with special reference to safety and conservation, until the adjournment of the fifty-seventh general assembly. A report to the governor and next general session of the legislature is required, together with a proposed revision of mining laws unanimously agreed upon and any other recommendations deemed necessary. When any recommendation is not unanimously agreed upon separate reports are required. Members who are coal miners or coal mine owners receive no compensation but the remaining three members will receive $10 per day for each day of service. $7,000 is appropriated for

expenses. (H. B. 379.) Salaries of four industrial officers and four mine officers are lowered and arbitrators are not provided for in appropriations for biennium beginning July 1, 1929. (H. B. No. 577.) Appropriation for chief inspector of private employment agencies is raised. (H. B. No. 417.) Eight superintendents and eight drill teams, instead of six, are provided for in the department of mines and minerals. (H. B. 419.) Salaries of certain officials of the departments of labor, and of mines are raised. One of the five members of the industrial commission will be designated as chairman, and will receive $6,000 per year. Terms of office of officers of departments are decreased to two years. (H. B. 579.)

Indiana.—Appropriation for operating expenses of the employment commission and department of rehabilitation are increased. (C. 116.)

Iowa.—One assistant is added to personnel of civilian rehabilitation division and salary of director is raised. (C. 287.)

Kansas.—A commission of labor and industry, to be composed of three members appointed by the governor for a term of four years, is created to take over the administration of labor laws heretofore administered by the public service commission. One of the members of the labor commission is to be designated by the governor as chairman, and will be in charge of the administration of the workmen's compensation act. Another member, actively identified with Kansas labor for the five years preceding appointment and not less than thirty years of age, will be designated commissioner of labor and have active charge of factory and mine inspection, the state free employment bureau, and labor laws pertaining to women and children. The commission is given full jurisdiction over industrial inspection and the state free employment bureau. Necessary employees, to be under the direction of the commission, may be hired. The chairman will receive $4,000 per year and other members $3,750. (C. 258.) Commissioners of the department of labor and industry, instead of the public service commission, are authorized to appoint certain officers and employees at specified salaries. Four deputy mine inspectors, instead of five, are provided for. (C. 183.)

Maine.—Persons, firms or corporations obliged by law to report to the state industrial accident commission deaths, accidents and injuries sustained on their premises do not have to make similar reports to the commissioner of labor. (C. 146.)

Maryland.—As the budget amendment has been adopted, provisions for specific appropriations for the commissioner of labor and statistics are repealed. (C. 423 and C. 434.)

Massachusetts.—An unpaid commission is created to study the duties and compensation of all county officials and clerical workers and report to the legislature recommendations and necessary legislation. (C. 33.)

Michigan.—Appropriation for the department of labor is raised. (No. 285.)

Missouri.—Salary of chief mine inspector is raised to $3,000 and salaries of other mine inspectors and of the secretary of the bureau of mines are raised to $2,400. (H. B. 147.) Three deputy commissioners of labor, instead of two, are provided for in authorized appropriations. (H. B. 902.)

Montana.—Appropriation for vocational rehabilitation is raised. (H. B. 320.)

Nebraska.—Appropriation for the department of labor is raised. (C. 24.) Advice and consent of Senate no longer required in appointment of Secretary of Labor. Manner of expenditure of appropriation by any department is regulated. Sections of law giving departments exclusive power to administer laws and requiring coordination among departments are repealed. (C. 51.) The department of labor, with the assistance of commissions of employers, employees and other persons created by the department from time to time, is directed in amendment to law to formulate, adopt, publish and enforce necessary safety codes, rules and standards, subject to modification or repeal at any time in the department's discretion. Before adoption, amendment or repeal of any safety code a public hearing must be held. To enforce the same, the department is directed to periodically inspect places of employment and order the discontinuance of any device not conforming to the code. Penalty for continuing to operate such machine is $25 to $100. Provision is made for review of a code and hearing thereon, upon petition, and appeal from the department's decision. (C. 138.)

New Jersey.—A bureau for women and children is established to study problems connected with women's and children's labor; create the necessary organization; and appoint an adequate number of inspectors with the Commissioner of labor's consent. The head shall be a woman who will receive an annual salary of $4,000 and under the commissioner of labor's control will enforce laws and regulations governing the employment of women and children, and annually report to the commissioner of labor, which report will be transmitted to the legislature. Appropriation, $20,000. (C. 158.) In certain second class cities salaries paid to employees in the classified service will be amounts presented by the appointing body and approved by the civil service commission. Standards recommended by the civil service commission for salary increases will be followed. (C. 160.) The governing body of any municipality is empowered to fix by ordinance the salaries of all municipal employees but may not reduce salaries. (C. 162.)

New York.—Grades for inspectors are divided into eight, instead of six. Inspectors of the seventh grade will receive an annual salary of $2,700 and those of the eighth grade will receive $3,000. Inspectors who have served in the sixth grade one year shall be placed in the seventh grade and inspectors who have served in the seventh grade one year shall be placed in the eighth. Safety inspectors of the bureau of industrial hygiene shall receive $2,500 per annum, after one year's service, $2,750, and after two years' service, $3,000. Salary of supervising inspectors is raised to $4,000. (C. 399.) Appropriation for state compensation insurance and department of labor is raised. Instead of specifying distribution of department's appropriation, lump sum is appropriated. (C. 593.)

Oklahoma.—Salaries of labor commissioner, chief mine inspector and each district inspector are raised to $3,600, $3,600 and $2,400 respectively. (C. 273, Special Session.)

Oregon.—The constitution is amended by adding new sections providing that after July 1, 1931, state executive and administrative functions be per-

formed by the governor and nine other departments, which includes the department of labor and industry, and that all existing state executive and administrative offices, boards and commissions be abolished. Directors of each department will be appointed by the governor with the consent of the Senate. To be submitted to referendum in November, 1930. (S. J. R. 16.) In counties of 200,000 inhabitants or more a civil service system is established to which all county employees, including mechanics and laborers, are made subject. Appointments, promotions and discharges will be based solely upon merit, as provided. A civil service commission of three members to serve for six years is created in each county to create employments; fix compensation; adopt necessary rules and regulations; hold public competitive examinations open to qualified United States citizens who are county electors and literate; investigate and inspect all employments affected by the act; hold hearings; make temporary and emergency appointments; keep official rosters; provide for promotions, transfers and reinstatements. Grounds and method of discharge and suspension of anyone holding office under the act are specified. Political services are forbidden to civil service employees. Penalty for violation of act $25 to $1,000 or imprisonment for not more than one year, or both. Penalty for bribery or attempt to commit bribery is fine of $50 to $1,000 or imprisonment from 10 days to two years, or both. (C. 162.) Bureau of labor statistics and inspector of factories and workshops to be known as the bureau of labor. The bond which the commissioner of the bureau is required to execute before entering office is raised to $5,000 and in addition to conditioning the faithful performance of duties, said bond will condition the prompt and faithful accounting of all fees collected by the commissioner or his assistants. (C. 344.)

Pennsylvania.—Violators of the labor law, or of rules or regulations of the department of labor and industry, instead of of the industrial board, will, in addition to having to pay the fine already imposed, be liable for costs and for non-payment be imprisoned for not over one month. Alternates of fine or imprisonment, or both, are removed. The department of labor is directed to enforce the labor law, rules and regulations of the labor department and institute prosecutions for violations. (No. 450.)

Rhode Island.—Assistants to the commissioner of labor shall be paid not more than $5, instead of $4, per day. Expenses of department and of factory inspectors to be paid out of appropriations made by general assembly; authority of commissioner to incur necessary expenses up to $5,000 per year and specified appropriation of $4,000 per year for factory inspectors, are removed. (C. 1312, C. 1362.)

South Carolina.—Salaries of the commissioner of agriculture, commerce and industries and factory inspectors are raised. (No. 250.)

Tennessee.—Fees are no longer required for inspection of coal mines. (C. 28.)

Texas.—In counties of from 150,000 to 175,000 inhabitants a civil service commission is created to formulate rules for written competitive examinations for county employees and conduct the same. Qualifications, terms, method and ground for removals and promotions are specified. (C. 81.)

West Virginia.—Salary of chief of department of mines is increased. Personnel of county child welfare boards and manner of appointing members is changed. (C. 30.) Number of mine inspectors is raised to twenty-eight, and twenty rescue teams for 1930 and 1931 are provided for in authorized appropriations. (C. 89.)

Wisconsin.—A bureau of personnel is created within the executive department to replace the state civil service commission. The present chief examiner and secretary of the state civil service commission will automatically become the director, but subsequent directors will be appointed by the Governor, as provided. Changes include: payment by the board of not more than $500 to board members; the omission among prescribed duties of enforcement of rules and the inclusion of hearing appeals from actions taken by the director; three divisions for classified service, omitting the labor class and legislative employees, with certain changes in each classification. The director is directed to establish classes for all positions and report to the joint committee on finance of each regular legislative session, and many duties of the former civil service commission are transferred to the director. Three weeks' leave of absence may be granted annually to each employee who has served for twelve months. Political contributions and certain political activities are prohibited. Annual appropriation, beginning July 1, 1929, $30,000; in addition, $10,000 on July 1, 1929 and $25,000 on July 1, 1930, if approved by the governor. (C. 465.) Appropriation for bureau of child welfare and public health nursing is increased. (C. 346.)

Utah.—Appropriation for the industrial commission is raised. (C. 100.)

United States.—Sum of $15,000 is appropriated for cooperative vocational rehabilitation of disabled residents of the District of Columbia for the fiscal year 1930. (Public 1035, 70th Congress, 2nd session.)

Coming Conferences

American Association for Labor Legislation: New Orleans, December 27-28.

Association of American Law Schools: New Orleans, December 27-30.

American Political Science Association: New Orleans, December 27-30.

American Economic Association: Washington, D. C., December 27-30.

American Sociological Society: Washington, D. C., December 27-30.

American Statistical Association: Washington, D. C., December 27-30.

National Conference of Social Work: Boston, June 8-14, 1930.

II. Topical Index by States

THE labor laws enacted by the forty-four states, two territories and two insular possessions which held regular sessions and those that held special sessions, together with the labor laws enacted by the Seventieth Congress, second session, are herewith indexed by states in alphabetical order with chapter and page references to the session law volumes. The figures in heavier type outside the parentheses refer to pages in this REVIEW. (Complete session law volumes are not yet available for Georgia and the Philippines.)

ALASKA

(Page numbers not available.)

Social Insurance: workmen's compensation law re-enacted (C. 25), p. **440**; teachers' retirement system established (C. 83), p. **447.**

Administration: method of paying Territorial employees regulated (C. 68), p. **457.**

ARIZONA

Individual Bargaining: certain salaries made subject to garnishment (C. 50, p. 156), p. **418.**

Employment: law and section of constitution regulating employment on public projects amended (C. 85, p. 267, C. 105, p. 413), p. **430.**

Social Insurance: firemen's pension law enacted (C. 86, p. 268), p. **447.**

Administration: mine inspector's salary raised (C. 5, p. 468), p. **457.**

ARKANSAS

Social Insurance: workmen's compensation law for state highway employees enacted (Act 232, p. 1072), p. **439**; police pension law enacted (Act 126, p. 648), p. **447**; passage of Newton Bill urged (S. J. Memorial 2, p. 1537), p. **455.**

Administration: certain salaries raised and supervisor of child and women's labor provided for (Act 303, p. 1307, Act 342, p. 1411), p. **457.**

(Special Session.)

No labor laws enacted.

CALIFORNIA

(Page numbers not available.)

Miscellaneous: law regulating cash bonds required of employees amended (C. 559), p. **417.**

Individual Bargaining: law regulating collection of wages amended (C. 231), p. **418**; law regulating tipping of employees enacted (C. 891), p. **418**; procedure for filing labor claims changed (C. 230), p. **419**; logger's lien law amended (C. 157), p. **419**; committee created to investigate mechanics' lien law (C. 92), p. **419**; mechanics' lien laws amended (C. 869, C. 870, C. 871), p. **419.**

Hours: hour law on public works amended (C. 793), p. **423**; women's hour law amended (C. 40, C. 286), p. **424.**

Employment: employment agency law amended (C. 89, C. 215), p. **425.**

Safety and Health: child labor law amended (C. 82, C. 546), p. **431**, p. **432**; compulsory continuation school law enacted (C. 187), p. **431**; laws enacted regulating air pressure tanks and steam boilers (C. 180, C. 181), p. **433**; foundries and metal shops sanitation law amended (C. 348), p. **434**; law limiting weights to be carried by women employees amended (C. 768), p. **434.**

HAWAII

Individual Bargaining: mechanics' lien law amended (Act 207, p. 253), p. **420.**

Minimum Wage: minimum wage law for laborers amended (Act 86, p. 91), p. **423.**

Hours: vacations for public employees reduced (Act 95, p. 96), p. **425.**

Employment: United States citizenship required for public employees (Act 39, p. 38), p. **430**; law specifying requirements for public employees amended (Act 103, p. 112), p. **430.**

Social Insurance: policemen's and firemen's pension law amended (Act 9, p. 6), p. **448**; public employees' retirement law amended (Act 182, p. 195) p. **448.**

IDAHO

Collective Bargaining: law creating labor commission repealed (C. 5, p. 9), p. **422.**

Social Insurance: workmen's compensation law amended (C. 88, p. 142, C. 164, p. 295), p. **441**; teachers' retirement fund abolished (C. 121, p. 201), p. **448.**

ILLINOIS

Individual Bargaining: threshermen's lien law amended (H. B. 361, p. 547), p. **420.**

Safety and Health: child labor law amended (S. B. 244, p. 429), p. **432.**

Social Insurance: workmen's compensation law amended (H. B. 525, p. 440, H. B. 270, p. 439), p. **441**; police pension law amended (H. B. 30, p. 253, H. B. 129, p. 244, H. B. 668, p. 574), p. **448**, p. **449**; firemen's pension law amended (S. B. 482, p. 219, H. B. 235, p. 221, H. B. 692, p. 243), p. **449**; teachers' retirement law amended (S. B. 449, p. 732), p. **449**; commission created to report on a state employees' annuity fund (H. B. 804, p. 758), p. **449**; sum appropriated for mothers' aid (H. B. 261, p. 198), p. **455.**

Administration: mining investigation commission created (H. B. 379, p. 137), p. **457**; certain salaries raised and terms decreased (H. B. 579, p. 749, H. B. 417, p. 54), p. **458**; certain salaries lowered (H. B. 577, p. 129), p. **458**; more mine drill teams provided for (H. B. 419, p. 63), p. **458.**

INDIANA

Individual Bargaining: mechanics' lien laws enacted and amended (C. 41, p. 79, C. 7, p. 12, C. 113, p. 331), p. **420.**

Employment: see "Administration," p. **458.**

Safety and Health: child labor law amended (C. 76, p. 246), p. **432.**

Social Insurance: workmen's compensation law re-enacted (C. 172, p. 536), p. **441**; receipts for teachers' retirement fund payments required (C. 102, p. 311), p. **448**; see "Administration," p. **458.**

Administration: appropriation for employment commission and department of rehabilitation increased (C. 116, p. 340), p. **458.**

IOWA

Miscellaneous: medical examinations of employees barred (C. 220, p. 274), p. **417.**

Employment: employment agency law enacted, amending old law and repealing another (C. 49, p. 76), p. **425.**

Social Insurance: workmen's compensation law amended (C. 46, p. 74, C. 47, p. 75, C. 48, p. 75), p. **441**; group insurance authorized (C. 221, p. 274), p. **456**; mothers' aid law amended (C. 92, p. 130), p. **456.**

Administration: changes in personnel of rehabilitation department made (C. 287, p. 359), p. **458.**

Social Insurance: workmen's compensation law amended (No. 113, p. 260), p. **442**; workmen's compensation provided for members of national guard (No. 93, p. 235), p. **442**; teachers' retirement law enacted (No. 5, p. 10, No. 143, p. 336), p. **450**; teachers' retirement law amended (No. 138, p. 326), p. **450**; mothers' pension law amended (No. 33, p. 63), p. **456**.

Administration: appropriation for department of labor raised (No. 285, p. 698), p. **458**.

MINNESOTA

Collective Bargaining: method of paying certain road laborers specified (C. 374, p. 373), p. **418**; law regulating the issuance of injunctions amended (C. 260, p. 309), p. **422**.

Employment: employment agency law amended (C. 293, p. 365), p. **426**.

Safety and Health: permits for children between ten and sixteen in certain performances authorized (C. 234, p. 256), p. **432**; law regulating location of motors and fire extinguishers in dry cleaning and dyeing establishments amended (C. 402, p. 579), p. **434**.

Social Insurance: workmen's compensation insurance companies required to insure certain risks (C. 237, p. 261), p. **442**; workmen's compensation law amended (C. 248, p. 276, C. 250, p. 278, C. 251, p. 279, C. 252, p. 280, C. 400, p. 578), p. **442**; old age pension law enacted (C. 47, p. 42), p. **450**; state employees' retirement association established (C. 191, p. 187), p. **450**; retirement law for employees in certain departments of health amended (C. 224, p. 244), p. **451**; pensioning of certain police officers provided for (C. 278, p. 339), p. **451**; levy of tax in certain cities for police pension fund authorized (C. 311, p. 398), p. **451**; mothers' pension law amended (C. 101, p. 99), p. **456**.

MISSOURI

Individual Bargaining: loan law amended (H. B. 146, p. 201), p. **418**.

Safety and Health: child labor law repealed and re-enacted (S. B. 469, p. 130), p. **432**.

Social Insurance: workmen's compensation law amended (C. S. H. Bs. 114 and 294, p. 444), p. **442**; increased appropriation provided (H. B. 793, p. 26), p. **442**; police pension system established (H. B. 392, p. 300), p. **451**.

Administration: certain salaries raised (H. B. 147, p. 256), p. **458**; number of deputy commissioners increased (H. B. 902, p. 39), p. **459**.

MONTANA

Hours: hour-law amended (C. 116, p. 225), p. **424**.

Social Insurance: workmen's compensation law amended (C. 177, p. 359), p. **442**; firemen's pension law amended (C. 137, p. 270), p. **451**.

Administration: vocational rehabilitation appropriation raised (H. B. 320, p. 426), p. **459**.

NEBRASKA

Collective Bargaining: union labels authorized (C. 136, p. 490), p. **422**.

Safety and Health: compulsory school attendance law amended (C. 87, p. 340), p. **433**.

Social Insurance: workmen's compensation law amended (C. 81, p. 273, C. 135, p. 489), p. **443**; teachers' retirement law amended (C. 95, p. 356), p. **451**.

Administration: labor department's appropriation raised (C. 24, p. 114), p. **459**; law regulating appointment of secretary of labor and use of appropriated monies amended (C. 51, p. 209), p. **459**; amended law provides for formulation and enforcement of safety codes (C. 138, p. 492), p. **459**.

Administration: law regulating salaries and grades of inspectors amended (C. 399, p. 905), p. 459; certain appropriations raised and distribution changed (C. 593, p. 1275), p. **459**.

NORTH CAROLINA

Individual Bargaining: mechanics' lien law amended (C. 69, p. 55), p. **421**.

Employment: laws enacted regulating private fee-charging employment agencies and license taxes (C. 178, p. 209, C. 345, p. 531), p. **427**.

Social Insurance: workmen's compensation law enacted (C. 120, p. 117), p. **439**.

NORTH DAKOTA

Individual Bargaining: garnishment law amended (C. 188, p. 258), p. **419**; mechanic's lien law repealed (C. 154, p. 197), p. **421**; mechanic's lien law amended (C. 155, p. 197, C. 156, p. 198), p. **421**.

Social Insurance: workmen's compensation law amended (C. 260, p. 367), p. **444**; commission created to investigate teachers' retirement fund (C. 209, p. 287), p. **452**.

OHIO

Individual Bargaining: payment of $300 or less for wage assignments regulated (S. B. 52, p. 43), p. **419**; law regulating wage assignments amended (H. B. 114, p. 479), p. **419**.

Safety and Health: public utilities commission authorized to promulgate certain orders (S. B. 207, p. 256), p. **438**.

Social Insurance: workmen's compensation law amended (S. B. 243, p. 257, S. B. 245, p. 262), p. **444**; firemen's and policemen's pension law amended (H. B. 57, p. 274, S. B. 79, p. 62, S. B. 80, p. 64), p. **453**; pension law for certain custodians amended (S. B. 92, p. 627), p. **453**.

OKLAHOMA

Safety and Health: child labor law amended (C. 35, p. 35), p. **433**; sections of coal mining law dealing with lead, zinc and all other mines repealed and a separate law enacted (C. 42, p. 45), p. **436**.

Social Insurance: workmen's compensation law amended (C. 30, p. 30), p. **444**.

(Special Session.)

Safety and Health: coal mining code repealed and re-enacted (C. 251, p. 322), p. **436**.

Administration: certain salaries raised (C. 273, p. 396), p. **459**.

OREGON

Miscellaneous: law regulating credit unions amended (C. 396, p. 522), p. **417**.

Individual Bargaining: miners' lien law amended (C. 117, p. 85), p. **421**; farm laborers' lien law repealed and re-enacted (C. 372, p. 436), p. **421**.

Collective Bargaining: arbitration law amended (C. 350, p. 399), p. **423**.

Hours: hour law for work on public contracts amended (C. 358, p. 412), p. **424**.

Employment: employment agency law amended (C. 297, p. 320), p. **427**.

Safety and Health: compulsory school attendance law repealed (C. 68, p. 45), p. **433**.

Social Insurance: workmen's compensation law amended (C. 172, p. 163, C. 120, p. 88, C. 136, p. 104, C. 286, p. 307, C. 316, p. 351), p. **444**; commission to investigate workmen's compensation law authorized (S. J. R. 10, p. 779), p. **446**; teachers' retirement law amended (C. 48, p. 33), p. **453**; mothers' aid law amended (C. 45, p. 28), p. **456**.

Social Insurance: workmen's compensation law amended (C. 253, p. 325, C. 254, p. 326), p. **445**; firemen's pension law amended (C. 189, p. 218), p. **453**.

TENNESSEE

Social Insurance: workmen's compensation provided for state highway employees (C. 46, p. 80), p. **445**.

Administration: coal mine inspection law amended (C. 28, p. 51), p. **460**.

TEXAS

Individual Bargaining: mechanics' lien law amended (C. 223, p. 477, C. 224, p. 478), p. **421**.

Employment: public school teachers must be citizens (C. 38, p. 72), p. **430**; enticing of laborers forbidden (C. 189, p. 408), p. **431**; law regulating blacklisting amended (C. 245, p. 509), p. **431**.

Safety and Health: child labor law amended (C. 180, p. 391), p. **433**.

Administration: civil service commission created in certain counties (C. 81, p. 194), p. **460**.

(First Special Session.)

Employment: law regulating emigrant employment agents enacted (C. 104, p. 253), p. **428**.

Social Insurance: federal rehabilitation act accepted (C. 23, p. 57), p. **446**.

(Second Special Session.)

Individual Bargaining: mechanics' lien law amended (C. 78, p. 154), p. **421**.

Employment: law regulating emigrant employment agents enacted in first special session repealed and re-enacted (C. 96, p. 203, C. 11, p. 16), p. **428**, p. **429**.

(Third Special Session.)

No labor laws enacted.

UTAH

Individual Bargaining: mechanics' lien law repealed (C. 18, p. 17), p. **421**.

Minimum Wage: minimum wage law repealed (C. 9, p. 12), p. **423**.

Safety and Health: part-time school law for minors amended (C. 47, p. 63), p. **433**; law requiring certain school records repealed (C. 23, p. 19), p. **433**.

Social Insurance: old age pension law enacted (C. 76, p. 116), p. **453**; firemen's pension law amended (C. 39, p. 37), p. **454**.

Administration: appropriation for industrial commission increased (C. 100, p. 192), p. **461**.

VERMONT

Safety and Health: supervision of Public Service Commission extended (No. 82, p. 85), p. **438**.

Social Insurance: workmen's compensation law amended (No. 108, p. 32, No. 107, p. 56), p. **445**; teachers' retirement law amended (No. 34, p. 8, No. 35, p. 88), p. **454**; establishment of pension system for certain municipal employees authorized (No. 61, p. 22), p. **454**.

WASHINGTON

(Page numbers not available.)

Safety and Health: law regulating use of certain engines and boilers amended (C. 172), p. **435**.

Social Insurance: workmen's compensation law amended (C. 136, C. 132), p. **445**; firemen's pension law amended (C. 86), p. **454**; police pension law amended (C. 101), p. **454**.

Rock Dust Saves Lives

OF the 38 most serious mine explosions in the past year, 33 were in bituminous coal mines, finds the U. S. Bureau of Mines. The Bureau investigations show that rock-dust had been applied to a limited extent in 13 of the mines "and in 6 of these 13 mines there is no doubt that rock-dust played an important part in limiting the explosion. In these 6 mines 62 lives were lost, whereas 428 men were exposed to the explosions and many of them might have lost their lives if rock-dust had not been applied. In one mine rock-dust had been applied in the explosion area the night before the disaster occurred, and it undoubtedly stopped propagation of the flame; four men at the point of origin were killed, but there is very good reason for the belief that some or all of the other 58 lives were saved through the effectiveness of the rock-dusting. It is entirely probable that many of the 62 lives lost in the mines using rock-dust would have been saved if effective rock-dusting had been practiced. In most of these partly or imperfectly rock-dusted mines the explosion traveled through unprotected rooms, crosscuts or the trackless entries where only too many mining men think that rock-dusting is unnecessary. To be effective, rock-dust *must* be applied to *all* rooms, crosscuts, and entries to within at at least 40 feet of the face as well as to all other accessible open surfaces; the incumbustible content must generally be 65 per cent or more if no gas is present, with correspondingly greater percentages of incombustible with increasing percentages of methane in the surrounding air."

Roll of Honor of Coal Companies Using Rock Dust to Prevent Coal Dust Explosions

THE full list of coal companies that have equipped one or more of their mines with the rock dust safeguard, or have begun to install it, appears in this REVIEW, for December, 1928, pp. 424-427. Additions were made to the list, as of February 1, 1929, in the March, 1929, issue, p. 117; as of April 1, 1929, in the June, 1929, issue, p. 174; as of August 1, 1929, in the September, 1929, issue, p. 317. As of November 1, 1929, the following are added:

INDIANA—Peabody Coal Company.
PENNSYLVANIA—Weirton Coal Company.
TENNESSEE—Roane Iron Company.

Commissions Propose—Legislatures Procrastinate

SIX years have elapsed since the United States Coal Commission submitted its findings and recommendations to Congress.

This report represented an investment of approximately $600,000 by the public. It was authoritatively asserted that the coal industry, including the operators and the union, spent an additional million dollars to supply information at the request of the commission.

The fact-finding commission was composed of six men of the highest calibre, with John Hays Hammond as chairman. At one time, five hundred people, including engineers, accountants, economists, and statisticians, were employed in carrying on its comprehensive investigations. Perhaps no other industry has had its ills so thoroughly and so expertly diagnosed by our government at such enormous expense to the taxpayer. And it was convincingly stated at the time that this is "a very sick industry."

One of the most important sections of the Commission's report dealt with coal mine safety. It was based upon a study made under the direction of Dean E. A. Holbrook of the University of Pittsburgh, an outstanding mining engineer.

The government, state and federal, was told in the official commission's report, that it could help decrease the appalling toll of life and limb exacted every year in the mining industry, by carrying out the following specific recommendations:

1. The formulation of national minimum safety standards for the mining industry.

2. The revision and standardization of state safety codes to meet the needs of modern mining methods.

3. The standardization of inspection technique and the granting of more authority to the state inspection service.

4. The extension of schedule rating, with individual experience rating provisions, to all mines, insured and self-insured, penalizing mines for substandard conditions.

5. The creation of state safety-service organizations in connection with state compensation insurance.

6. The doubling of the safety personnel and equipment of the

Federal Bureau of Mines, with special regard for better safety-service inspection.

7. The preparation and dissemination of more complete and detailed statistics and studies of accident and health hazards in the mining industry.

These were important recommendations. They placed upon our government certain definite responsibilities in coal mine safety. The state and federal authorities have had these recommendadtions before them for six long years.

What has happened?

The American Association for Labor Legislation believes that the public should be interested in knowing what progress has been made in carrying these official recommendations into effect: what dividend it has received on its $600,000 investment.

Mine Catastrophes

EIGHT men were killed by an explosion, apparently of gas extended by coal dust, in the mine of the Covington Coal Company, Tahona, Oklahoma, on September 27. This was the only major mine accident between September 1 and November. With the record of only one major accident during the period April 1 to September, as recorded in the issue of this REVIEW for September, there is impressive evidence that the grim toll of mine fatalities can be cut down. In its information circular on mine explosions in the United States for the year ending June 30, 1929, the federal Bureau of Mines points out that only 139 lives were lost in explosions in our mines as against 342 lost during the preceding year.

Rock-Dusting Saves Miners' Lives

"When an explosion occurred with 300 men working 500 feet down in a mine at Renton, Pa., the stage was all set for another heart-rending story of disaster. But the 300 men came walking out to safety with only twelve of their number injured and these suffering merely from burns. The explanation lies in the fact that the operators of the mine were progressive and, heeding the advice of experts of the Bureau of Mines, had *rock-dusted* their workings." —Washington *Star*.

International Labor Legislation

The August *L'Avenir Du Travail,* published by the International Association for Social Progress, of which the Association for Labor Legislation is the American section, contains a memorandum on the present status of border labor commuters under the United States **immigration** laws. This memorandum was prepared by arrangement through the American Association for Labor Legislation by the American branch of the International Migration Service.

◇

The third General Assembly of the International Association for Social Progress[1] was held in Zurich, September 19 to 21, with Dr. Karl Renner, former Chancellor of the Austrian Republic, presiding. The subjects discussed were the family protection policy, the school leaving age, international migration, and real wages.

The Assembly adopted a resolution in favor of special allowances for members of the families of persons receiving social insurance benefits, and advocating supplementary social services, such as maternity protection, child welfare, and housing, for the benefit of persons with families. But the Assembly was unable to reach an agreement in favor of cash family allowances outside the social insurance system, although such a resolution was proposed by the French and Belgian delegates.

A resolution was adopted urging that the school leaving age be raised to fifteen as soon as possible; that maintenance grants be given to parents with low incomes during at least the last year of their child's schooling; and that there be established day-time continuation schools, compulsory upon both employers and employees for a period of at least three years.

The Assembly voted to ask each national section of the Association to report to the 1931 General Assembly its attitude toward present methods of regulating migration, with a view to the preparation of an international code on emigration and immigration.

A report submitted to the Assembly recommended that official statistics on real wages should be prepared in each country, using uniform methods determined by international agreement. It was pointed out that comparisons of real wages between European countries and the United States should take into account differences in social insurance benefits received by the workers.

[1] The American Association for Labor Legislation is the American Section.

Book Reviews and Notes

Coxey's Army: A Study of the Industrial Army Movement of 1894. By DONALD L. MCMURRY. *Boston, Little, Brown & Co., 1929. 335 pp.*—Dr. McMurry, professor of history at Lafayette College, gives us a vivid account of the marches of Coxey's army of the unemployed in the spring of 1894 following the financial panic of 1893. It was General Coxey, the zealous reformer, Greenbacker and Populist, self-made business man and breeder of blooded horses, who gave the movement its impetus with his reform plan calling for a national, state, and municipal program of public works to be financed by the "Good Roads and Non-interest-bearing Bond Bills." The author has ably depicted the dramatic and humorous aspects of Coxey's "petition in boots," composed for the most part of bona-fide workmen with a sprinkling of religious cranks and charlatans, which accompanied Coxey to the Capitol.

Fields of Work for Women. By MIRIAM SYMONS LEUCK. *New York, D. Appleton and Company, 1929. 349 pp.*—A thorough and intelligent analysis of the fields of work open to women, both of little and broad educational training. The author, experienced in guidance problems, discusses in this revised edition how to gain openings, the requirements of temperament and training, and advantages of different kinds of work.

The Work of the International Labor Organization. By NATIONAL INDUSTRIAL CONFERENCE BOARD, INC. *New York, 1928. 197 pp.*—In 1922, the N. I. C. B. published a volume on the first two years of the I. L. O. of Geneva. Six years later came this second volume which describes again the "structure" of the I. L. O. and reviews in convenient form all of the subjects passed upon in the first nine years of the official International Labor Conferences. The Conference Board's principal finding is that "the accomplishments of that agency in the field of international labor legislation have been relatively small," largely because the most important proposals have been least acceptable to member nations while other proposals have not been in advance of existing legislation. The Conference Board approves of the I. L. O. as a "fact-finding and research agency."

The Labor Banking Movement in the United States. By the INDUSTRIAL RELATIONS SECTION, DEPARTMENT OF ECONOMICS AND SOCIAL INSTITUTIONS, PRINCETON UNIVERSITY. *Princeton University Press, 1929. 377 pp.*—This book is intended to complement a previous work on employee stock ownership as a study of "labor capitalism." It analyzes the rise and decline of trade union banks, their purposes, their successes, and their failures. The conclusions drawn are in the main such as would discourage further experiments in banking by labor unions. The study is based largely upon original sources. In the appendix is an analysis of every labor bank that has been established since 1920.